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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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April 15, 2013	May 15, 2013	May 31, 2013	June 30, 2013

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

EMERGENCY RULE

20 CSR 2263-1.040 School Social Worker Examinations Approved by the Committee

PURPOSE: This rule establishes the school social worker examination(s) approved by the committee for the school social work program verification and acknowledgment of completion to be issued by Missouri colleges and universities and by the committee as authorized in section 173.1400 of Senate Bill 563 (2012).

EMERGENCY STATEMENT: On June 5, 2012, Senate Bill 563 was signed into law authorizing Missouri colleges and universities to issue, on behalf of the state, a document of school social work program verification and acknowledgment of completion (document) to individuals meeting specified criteria regarding social work in schools. While section 173.1400 of S.B. 563 requires the Department of Higher Education to develop the form of the document, the State Committee for Social Workers is required to approve the examination that may be utilized to qualify for the document. Section 337.647 of S.B. 563 allows individuals meeting somewhat different criteria to

obtain a similar document issued by the committee. Immediate adoption of this rule will enable Missouri colleges and universities and the committee to issue the document prior to and during the 2012–2013 academic year to those individuals who qualify through the examination process. This document is utilized by such individuals for recognition and employment in Missouri and other states as school social workers. As there was no previously approved exam for school social workers and section 173.1400 of S.B. 563 went into effect immediately upon being signed by the governor, it was necessary to meet and draft an emergency rule approving an examination in order to comply with the new legislation and its emergency clause.

Accordingly, on June 21, 2012, a subcommittee, appointed by the committee, consisting of some members of the board, representatives from interested universities, associations, and school social workers met and discussed options for examination(s) that would satisfy the requirements of sections 173.1400 and 337.647, of S.B. 563. Following that meeting, the full committee met on July 19, 2012, approved an examination for the purposes of both sections 173.1400 and 337.647 of S.B. 563, and approved an emergency rule.

This emergency rule is necessary to implement the requirements of sections 173.1400 and 337.647 of S.B. 563. While section 337.647 of S.B. 563 is not included within the emergency clause of S.B. 563 (which regards section 173.1400 of S.B. 563 only), section 337.647 of S.B. 563 provides for an alternative process by which individuals may obtain a similar document issued by the committee (instead of Missouri colleges and universities). While the criteria that individuals must meet to obtain the document from the committee differs from that required to obtain the document from Missouri colleges and universities, the examination approval required from the committee for both sections 173.1400 and 337.647, of S.B. 563 is the same. Accordingly, the examination approval regarding section 337.647 of S.B. 563 is included within this emergency rule.

*For these reasons, this emergency rule is necessary to protect the public health, safety, and welfare of Missouri citizens by enabling Missouri colleges and universities and the committee to issue documents of school social work program verification and acknowledgment of completion to qualified individuals through the examination process. Based on the foregoing, the Department of Insurance, Financial Institutions and Professional Registration, Division of Professional Registration, hereby finds an immediate danger to the public health, safety, and welfare and a compelling governmental interest which requires emergency action. The scope of this emergency rule is limited to the conditions creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The committee believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency rule was filed September 18, 2012, becomes effective September 28, 2012, and expires March 26, 2013.*

(1) School social worker examination(s) approved by the committee for the purposes of sections 173.1400 and 337.647.2., RSMo, include:

(A) The Educational Testing Service Praxis series exam #0211 School Social Worker: Content Knowledge.

*AUTHORITY: sections 173.1400.1.(2) and 337.647.2.(2) and .3., SB 563 and HB 1563, Second Regular Session, Ninety-sixth General Assembly, 2012, and 337.627.1.(8), RSMo Supp. 2011. Emergency rule filed Sept. 18, 2012, effective Sept. 28, 2012, expires March 26, 2013. A proposed rule covering this same material is published in this issue of the *Missouri Register*.*

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 4—Wildlife Code: General Provisions

PROPOSED AMENDMENT

3 CSR 10-4.117 Prohibited Species. The commission proposes to amend subsection (2)(A) of this rule.

*PURPOSE: This amendment removes the genus *Oryctolagus* from the Prohibited Species List to allow domestic rabbits to be imported, exported, transported, sold, purchased, or possessed alive in Missouri.*

(2) For the purpose of this rule, prohibited species of wildlife shall include the following:

(A) Mammals: Any species of flying fox or fruit bat of the genus *Pteropus*; any species of mongoose or meerkat of the genera *Atilax*,

Cynictis, *Helogale*, *Herpestes*, *Ichneumia*, *Mungos*, or *Suricata*; [any species of the European rabbit genus *Oryctolagus*;] any species of the Indian wild dog, red dog, or dhole of the genus *Cuon*; any species of the multimammal rat or mouse of the genus *Mastomys*; raccoon dog, *Nyctereutes procyonoides*; brushtail possum, *Trichosurus vulpecula*;

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed April 20, 2005, effective Sept. 30, 2005. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 5—Wildlife Code: Permits

PROPOSED AMENDMENT

3 CSR 10-5.205 Permits Required: Exceptions. The commission proposes to amend subsection (1)(E) of this rule.

PURPOSE: This amendment allows any person fifteen (15) years of age or younger who has a valid hunter education certificate card in his/her possession to take wildlife (except deer or turkey) as provided in Chapter 7 without permit and without being in the immediate presence of a properly licensed adult hunter.

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses, or uses wildlife in any manner must first obtain the prescribed hunting, fishing, trapping, or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(E) Any person fifteen (15) years of age or younger may take wildlife (except deer and turkey) as provided in Chapter 7 without permit provided, s/he has in his/her possession a valid hunter education certificate card or s/he is in the immediate presence of a properly licensed adult hunter who is eighteen (18) years of age or older and has in his/her possession a valid hunter education certificate card or was born before January 1, 1967. Persons under eleven (11) years of age may not purchase firearms deer and turkey hunting permits except as provided in subsection (1)(F) of this rule (see 3 CSR 10-5.215(4));

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-6.415 Restricted Zones. The commission proposes to amend subsections (2)(F) and (5)(I) of this rule.

PURPOSE: This amendment establishes a new boundary for bow fishing within the main channel below the Clarence Cannon Reregulation Pool Dam to counter a recent change in the no-boating zone enacted by the U.S. Army Corps of Engineers and allows continued bow fishing in adjacent backwaters within the entire zone.

(2) Fish may be taken only by pole and line from:

(F) Salt River from below Clarence Cannon Reregulation Pool Dam to Route A except that fish may also be taken by bow as prescribed in 3 CSR 10-6.550 from [the no-boating zone (all adjoining backwaters and from the main channel beginning one thousand [one hundred] feet (1,100') below the Reregulation Dam)] to Route A].

(5) Fish may be taken by all prescribed methods except that only flies and artificial lures may be used when fishing and soft plastic baits and natural and scented baits are specifically prohibited in:

(I) Little Piney Creek from the Phelps County [L]ine in Sections 9 and 16 of T35N, R8W, including Piney Spring Branch and Lane Spring Branch, to Milldam Hollow Access.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 6—Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-6.545 White Bass, Yellow Bass, Striped Bass. The commission proposes to amend section (2) and add subsections (1)(C) and (4)(C) of this rule.

PURPOSE: This amendment establishes striped bass length and daily limits at Bull Shoals Lake. Also, the amendment standardizes striped bass length and daily limits with those of the Arkansas Game and Fish Commission at Norfolk Lake.

(1) Daily Limit: Fifteen (15) white bass, yellow bass, striped bass, and their hybrids in the aggregate, except:

(C) On Bull Shoals and Norfolk lakes and their tributaries, only three (3) striped bass may be included in the aggregate.

(2) Methods: Pole and line, trotline, throwline, limb line, bank line, or jug line.

(4) Length Limits: No length limits, except the daily limit of white bass, yellow bass, striped bass, and their hybrids may include not more than four (4) fish more than eighteen inches (18") in total length.

(C) On Bull Shoals and Norfolk lakes and their tributaries, striped bass less than twenty inches (20") in total length must be returned to the water unharmed immediately after being caught. On these waters, there are no length limits for white bass or their hybrids.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 9—Wildlife Code: Confined Wildlife: Privileges,
Permits, Standards**

PROPOSED AMENDMENT

3 CSR 10-9.110 General Prohibition; Applications. The commission proposes to amend paragraphs (3)(F)4.-6. of this rule.

PURPOSE: This amendment clarifies the rule and further defines closed systems for compliance.

(3) Fish and crayfish may be bought, sold, transported, propagated, taken, and possessed by any person without permit throughout the year in any number or size and by any method providing—

(F) That the privileges of this section apply only to the following:

1. Species listed in the Approved Aquatic Species List (including all subspecies, varieties, and hybrids of the same bought, sold, transported, propagated, taken, and possessed for purposes of aquaculture, but excluding transgenic forms);

2. Species frozen or processed for sale as food products;
 3. Species incapable of surviving in fresh water;
 4. Fish held only in aquaria, tanks, or other containers having water or solid wastes discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources or that entirely recirculate all of the water so that none of it shall drain into a water body;

5. Species other than fish held only in aquaria, tanks, or other containers that have the following specifications: all containers including the drain pipe or stand pipe must be completely covered with an intact screen of a maximum mesh size of one-sixteenth inch (1/16") square, and having water or solid wastes discharged only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources or that entirely recirculate all of the water so that none of it shall drain into a water body; and

6. Species or systems that do not meet the conditions of one of paragraphs 1. through 5. above that have been inspected by a representative of the department and received prior written approval from the director. Only closed systems from which the escape of live organisms (including eggs, parasites, and diseases) is not possible will be approved. **A system is considered closed when it is contained securely within an enclosed structure having no discharge of water or solid wastes. Any water or solid wastes removed from the system shall be disposed only into septic systems or municipal waste treatment facilities that are designed and operated according to guidelines of the Missouri Department of Natural Resources. Outdoor impoundments are not considered closed systems; and**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule was previously filed as 3 CSR 10-4.110(5), (6), and (10). Original rule filed June 26, 1975, effective July 7, 1975. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 11—Wildlife Code: Special Regulations for Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.180 Hunting, General Provisions and Seasons. The commission proposes to delete subsection (4)(M) and re-letter subsequent subsections; add subsection (4)(TT); amend subsections (4)(BBB), (4)(EEEE), (4)(NNNN), and (5)(G); and add subsections (5)(H) and (5)(X) and re-letter subsequent subsections; add subsection (6)(C) and re-letter subsequent subsections; and remove subsection (11)(B) and re-letter the subsequent subsection of this rule.

*PURPOSE: This amendment removes the reference to a conservation area no longer owned by the department, prohibits hunting except for deer and turkey hunting on Hinkson Woods Conservation Area, establishes hunting regulations on a newly acquired conservation area, adds Cape LaCroix Bluffs Conservation Area to the list of areas where firearms firing single projectiles are prohibited except as authorized in the annual **Fall Deer & Turkey Hunting Regulations and Information** booklet, restricts the use of firearms firing single projectiles on the designated portion of Truman Reservoir ML, removes unnecessary dove-specific regulations, and corrects improper conservation area references.*

(4) Hunting is prohibited on the following department areas except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet and annual *Spring Turkey Hunting Regulations and Information* booklet:

[(M)] **Robert L. Blattner Conservation Area**
 [(N)](M) **Lois Arlene Boesl Outdoor Educational Area**
 [(O)](N) **Bolivar Forestry Office**
 [(P)](O) **Marguerite Bray Conservation Area**
 [(Q)](P) **Brookfield Maintenance Center**
 [(R)](Q) **Buffalo Radio Facility**
 [(S)](R) **Caldwell Memorial Wildlife Area**
 [(T)](S) **Camdenton Conservation Service Center**
 [(U)](T) **Cape Girardeau Conservation Campus Nature Center**
 [(V)](U) **Caruthersville Rookery Conservation Area**
 [(W)](V) **Clearwater District Headquarters**
 [(X)](W) **Climax Springs Towersite**
 [(Y)](X) **Clinton Office**
 [(Z)](Y) **Conservation Commission Headquarters**
 [(AA)](Z) **Robert G. DeLaney Lake Conservation Area**
 [(BB)](AA) **Doniphan Towersite**
 [(CC)](BB) **Drovers Prairie Conservation Area**
 [(DD)](CC) **Engelmann Woods Natural Area**
 [(EE)](DD) **Eugene Towersite**
 [(FF)](EE) **Forest 44 Conservation Area**
 [(GG)](FF) **Foxglove Conservation Area**
 [(HH)](GG) **Friendly Prairie Conservation Area**
 [(II)](HH) **Gay Feather Prairie Conservation Area**
 [(JJ)](II) **Goodson (Bittersweet Woods) Conservation Area**
 [(KK)](JJ) **Grandpa Chipley's Conservation Area**
 [(LL)](KK) **Gravois Creek Conservation Area**
 [(MM)](LL) **Gravois Mills Access**
 [(NN)](MM) **Great Spirit Cave Conservation Area**
 [(OO)](NN) **Grundy Memorial Wildlife Area**
 [(PP)](OO) **Ronald and Maude Hartell Conservation Area**
 [(QQ)](PP) **James R. Harter Conservation Area**
 [(RR)](QQ) **Ruth and Paul Henning Conservation Area**
 [(SS)](RR) **Hickory Canyons Natural Area**
 [(TT)](SS) **Hickory Woods Conservation Area**
 (TT) **Hinkson Woods Conservation Area**
 (BBB) *[LaPetite]* **La Petite Gemme Prairie Conservation Area**
 (EEEE) *[Tezsars]* **Tezsars Woods Conservation Area**
 (NNNN) *Wah/-/* **Kon-Tah Prairie (portion south of Highway 82)**

(5) Firearms firing single projectiles are prohibited on the following department areas except for deer hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet:

(G) Gerhild and Graham Brown *[Memorial Wildlife]* **Conservation Area**

(H) **Cape LaCroix Bluffs Conservation Area**
 [(H)](I) **Catawissa Conservation Area**
 [(I)](J) **Charity Access**
 [(J)](K) **Columbia Bottom Conservation Area**
 [(K)](L) **Cuivre Island Conservation Area (mainland portion)**
 [(L)](M) **Diamond Grove Prairie Conservation Area**
 [(M)](N) **Dorris Creek Prairie Conservation Area**
 [(N)](O) **Dorsett Hill Prairie Conservation Area**

[(O)](P) Arthur Dupree Memorial Conservation Area
[(P)](Q) Eagle Bluffs Conservation Area
[(Q)](R) Peter A. Eck Conservation Area
[(R)](S) Earthquake Hollow Conservation Area
[(S)](T) Edmonson Access
[(T)](U) Ferguson-Herold Conservation Area
[(U)](V) Fort Leonard Wood Towersite
[(V)](W) Larry R. Gale Access
(X) Myron and Sonya Glassberg Family Conservation Area
[(W)](Y) Grand Bluffs Conservation Area
[(X)](Z) Horse Creek Prairie Conservation Area
[(Y)](AA) LaBarque Creek Conservation Area
[(Z)](BB) Liberty Bend Conservation Area
[(AA)](CC) Little Bean Marsh Conservation Area
[(BB)](DD) Little Dixie Lake Conservation Area
[(CC)](EE) Little Prairie Conservation Area
[(DD)](FF) Little River Conservation Area
[(EE)](GG) Caroline Sheridan Logan Memorial Wildlife Area
[(FF)](HH) Lone Jack Lake Conservation Area
[(GG)](II) Lost Valley Fish Hatchery
[(HH)](JJ) William Lowe Conservation Area
[(II)](KK) Alice Ahart Mansfield Memorial Conservation Area
[(JJ)](LL) Marais Temps Clair Conservation Area
[(KK)](MM) Mo-No-I Prairie Conservation Area
[(LL)](NN) Mon-Shon Prairie Conservation Area
[(MM)](OO) Pacific Palisades Conservation Area
[(NN)](PP) Parma Woods Range and Training Center (north portion)
[(OO)](QQ) Pelican Island Natural Area
[(PP)](RR) James A. Reed Memorial Wildlife Area
[(QQ)](SS) Reform Conservation Area
[(RR)](TT) Rocky Barrens Conservation Area
[(SS)](UU) Saint Stanislaus Conservation Area
[(TT)](VV) Dr. O. E. and Eloise Sloan Conservation Area
[(UU)](WW) Sunbridge Hills Conservation Area
[(VV)](XX) Swift Ditch Access
[(WW)](YY) Tipton Ford Access
[(XX)](ZZ) Treaty Line Prairie Conservation Area
[(YY)](AAA) Tri-City Community Lake
[(ZZ)](BBB) Valley View Glades Natural Area
[(AAA)](CCC) Vandalia Community Lake Conservation Area
[(BBB)](DDD) Archie and Gracie VanDerhoef Memorial State Forest
[(CCC)](EEE) Victoria Glades Conservation Area
[(DDD)](FFF) Vonaventure Memorial Forest and Wildlife Area
[(EEE)](GGG) Wade and June Shelton Memorial Conservation Area
[(FFF)](HHH) Wigwam School Access
[(GGG)](III) Young Conservation Area

(6) Firearms firing single projectiles are prohibited, except during managed deer hunts, and except furbearers treed with the aid of dogs may be taken with a twenty-two (.22) or smaller caliber rimfire firearm on the following department areas:

(C) Truman Reservoir ML (Designated portion of Grand River Wildlife Management Area)

[(C)](D) Upper Mississippi Conservation Area (Dresser Island portion)
[(D)](E) Weldon Spring Conservation Area

(11) On James A. Reed Memorial Wildlife Area—

(A) Rabbits, squirrels, and crows may be taken between sunrise and sunset from December 1 through the end of the statewide season by holders of a valid area daily hunting tag; **and**

[(B) Doves may be taken only in designated areas from noon to sunset each Monday through Friday, except Labor Day, during the statewide season by holders of a valid area daily hunting tag; and]

[(C)](B) Furbearer hunting may be authorized by special use permit, except furbearers may be taken during managed deer hunts that coincide with the prescribed furbearer season using methods allowed for deer by participants holding a valid managed deer hunting permit and the prescribed permit for taking furbearers.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED AMENDMENT

3 CSR 10-11.200 Fishing, General Provisions and Seasons. The commission proposes to delete subsection (2)(B), re-letter subsection (2)(C), add new subsection (2)(C), and amend subsection (2)(M) of this rule.

PURPOSE: This amendment removes the reference to a conservation area no longer owned by the department, prohibits fishing in Lake 8 at August A. Busch Memorial Conservation Area, and corrects an improper reference to a conservation area.

(2) Fishing is prohibited on the following department areas or individually-named lakes:

[(B) Robert L. Blattner Conservation Area]

[(C)](B) Burr Oak Woods Conservation Area

(C) August A. Busch Memorial Conservation Area (Lake 8)

(M) Wah/-J'Kon-Tah Prairie (portion south of Highway 82)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be

received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED AMENDMENT

3 CSR 10-11.205 Fishing, Methods and Hours. The commission proposes to amend subsection (5)(B) and sections (8) and (15) of this rule.

PURPOSE: This amendment adjusts the use of the youth fishing pond only to days that the Lost Valley Hatchery Visitor Center is open and prohibits bait containers with water on the area.

(5) On James A. Reed Memorial Wildlife Area:

(B) On Honker Pond, fishing is restricted to persons fifteen (15) years of age or younger and not more than one (1) pole and line may be used by any one (1) person at *[one]* any time.

(8) On Lost Valley Fish Hatchery, fishing is permitted only on designated waters from 9:00 a.m. to 4:00 p.m. *[daily]* **Tuesday through Saturday**. Fishing is restricted to persons fifteen (15) years of age or younger and not more than one (1) pole and line may be used by any one (1) person at *[one]* any time.

(15) On Blind Pony Lake Conservation Area, Hunnewell Lake Conservation Area, *[and]* Blackwell Lake (Indian Trail Conservation Area), **and Lost Valley Fish Hatchery**, bait transported or held in containers with water is prohibited.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule was previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas**

PROPOSED AMENDMENT

3 CSR 10-11.210 Fishing, Daily and Possession Limits. The commission proposes to delete section (3), re-number subsequent sections, and amend new sections (3), (5), and (8) of this rule.

PURPOSE: This amendment removes an experimental regulation on Fox Valley Lake (Clark County), reduces the crappie daily limit for

the August A. Busch Memorial Conservation Area (except Lake 33) and Weldon Spring Conservation Area, removes the special bluegill and sunfish regulation on the August A. Busch Memorial Conservation Area, reduces the "all other species" daily limit on the August A. Busch Memorial Conservation Area and Weldon Spring Conservation Area, and clarifies a reference to Bellefontaine Conservation Area.

[(3)] On Fox Valley Lake (Fox Valley Lake Conservation Area), the daily and possession limit for black bass is twelve (12) in the aggregate.]

[(4)](3) On **August A. Busch Memorial Conservation Area (except Lake 33)**, Bellefontaine Conservation Area, Lake Girardeau Conservation Area, Otter Slough Conservation, Robert G. Delaney Lake Conservation Area, *[and]* Schell-Osage Conservation Area, **and Weldon Spring Conservation Area**, the daily limit for crappie shall be fifteen (15).

[(5)](4) The daily limit for white bass, striped bass, and their hybrids in the aggregate shall be four (4) on the following department areas or individually-named lakes:

- (A) August A. Busch Memorial Conservation Area
- (B) Harmony Mission Lake (Harmony Mission Conservation Area)
- (C) Lake Paho Conservation Area
- (D) Perry County Community Lake
- (E) James A. Reed Memorial Wildlife Area

[(6)](5) At Tobacco Hills Lake (Guy B. Park Conservation Area), *August A. Busch Memorial Conservation Area,* and General Watkins Conservation Area, the daily limit for bluegill and other sunfish shall be ten (10) in the aggregate.

[(7)](6) On Duck Creek Conservation Area, statewide limits shall apply for other fish as designated in 3 CSR 10-6.550.

[(8)](7) On August A. Busch Memorial Conservation Area:

(A) On Lakes 21 and 28, trout must be returned to the water unharmed immediately after being caught from November 1 through January 31. Trout may not be possessed on these waters during this season. No person shall continue to fish for any species after having four (4) trout in possession from February 1 through October 31.

(B) On Lakes 3, 22, and 23, no person shall continue to fish for any species after having four (4) trout in possession.

[(9)](8) On **August A. Busch Memorial Conservation Area, Bluegill Pond** (Bellefontaine Conservation Area), Port Hudson Lake Conservation Area, *[and]* James A. Reed Memorial Wildlife Area, **and Weldon Spring Conservation Area**, the daily limit for fish other than those designated as endangered in 3 CSR 10-4.111 or defined as game fish shall be ten (10) in the aggregate.

[(10)](9) On Lake 12 (August A. Busch Memorial Conservation Area) and Lost Valley Fish Hatchery, the daily limit for all fish shall be two (2) in the aggregate. On Lost Valley Fish Hatchery, no person shall continue to fish for any species after having two (2) fish in possession.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 11—Wildlife Code: Special Regulations for
Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.215 Fishing, Length Limits. The commission proposes to remove paragraph (2)(A)8., re-number subsequent paragraphs, amend new paragraph (2)(A)22., remove subsection (2)(D), remove section (4), re-number subsequent sections, and amend new section (5) of this rule.

PURPOSE: This amendment establishes a fifteen inch (15") minimum length limit for largemouth bass on Pony Express Conservation Area to include all area fishing ponds and lakes, removes an experimental regulation on Fox Valley Lake (Clark County), eliminates a crappie minimum length limit at Robert G. DeLaney and Otter Slough conservation areas, and removes the flathead catfish special length limit on the August A. Busch Memorial Conservation Area.

(2) On lakes and ponds, except as listed below, black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught.

(A) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually-named lakes:

1. Amarugia Highlands Conservation Area
2. Apple Creek Conservation Area
3. Atkinson Lake (Schell-Osage Conservation Area)
4. Baltimore Bend Conservation Area
5. Bilby Ranch Lake Conservation Area
6. Binder Community Lake
7. Blackwell Lake (Indian Trail Conservation Area)
8. Buffalo Bill Lake (Pony Express Lake Conservation Area)]

[9.]8. August A. Busch Memorial Conservation Area (except Lakes 33 and 35)

- [10.]9. Castor River Conservation Area
- [11.]10. Che-Ru Lake (Fountain Grove Conservation Area)
- [12.]11. General Watkins Conservation Area
- [13.]12. Hazel Hill Lake
- [14.]13. Jamesport Community Lake
- [15.]14. J. N. "Turkey" Kearn Memorial Wildlife Area
- [16.]15. Limpp Community Lake
- [17.]16. Lone Jack Lake Conservation Area
- [18.]17. Maple Leaf Lake Conservation Area
- [19.]18. Nodaway County Community Lake
- [20.]19. Otter Slough Conservation Area
- [21.]20. Painted Rock Conservation Area
- [22.]21. Perry County Community Lake
- [23.]22. [Pony Express Lake (/Pony Express Lake Conservation Area)]
- [24.]23. Ray County Community Lake
- [25.]24. James A. Reed Memorial Wildlife Area
- [26.]25. Rinquelin Trail Lake Conservation Area

- [27.]26. Schell Lake (Schell-Osage Conservation Area)
- [28.]27. Ted Shanks Conservation Area
- [29.]28. Tobacco Hills Lake (Guy B. Park Conservation Area)
- [30.]29. Vandalia Community Lake
- [31.]30. Weldon Spring Conservation Area
- [32.]31. Worth County Community Lake

[(D)] On Fox Valley Lake (Fox Valley Lake Conservation Area), there is no length limit on black bass.]

[(4)] On August A. Busch Memorial Conservation Area, flathead catfish less than twenty-four inches (24") total length must be returned to the water unharmed immediately after being caught.]

[(5)](4) On Tobacco Hills Lake (Guy B. Park Conservation Area) and General Watkins Conservation Area, bluegill less than eight inches (8") total length must be returned to the water unharmed immediately after being caught.

[(6)](5) On Lake Girardeau Conservation Area[, Robert G. DeLaney Lake Conservation Area, and Otter Slough Conservation Area,] all crappie less than nine inches (9") total length must be returned to the water unharmed immediately after being caught.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.110 Use of Boats and Motors. The commission proposes to amend subsection (2)(L), add subsection (2)(Y), and re-letter subsequent subsections of this rule.

PURPOSE: This amendment corrects an area name and prohibits the use of boats on a lake now under management agreement with the department.

(2) Boats are prohibited on the following areas:

(L) Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Fleming Pond, Scherer Lake, Wyatt Lake)

(Y) Raymore (Johnston Lake)

[(Y)](Z) Rolla (Schuman Park Lake)

[(Z)](AA) St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake)

~~[(AA)]~~**(BB)** St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake)

~~[(BB)]~~**(CC)** St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Fountain Lake, Island Lake, Jarville Lake, Tilles Park Lake)

~~[(CC)]~~**(DD)** Sedalia (Clover Dell Park Lake, Liberty Park Pond)

~~[(DD)]~~**(EE)** Taos (Taos Countryside Park Lake)

~~[(EE)]~~**(FF)** Tipton (Tipton Park Lake)

~~[(FF)]~~**(GG)** University of Missouri (South Farm R-1 Lake)

~~[(GG)]~~**(HH)** Watershed Committee of the Ozarks (Valley Water Mill Lake)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.115 Bullfrogs and Green Frogs. The commission proposes to amend paragraph (1)(A)5., add paragraph (1)(B)13., and renumber subsequent paragraphs of this rule.

PURPOSE: This amendment corrects an area name and defines harvest methods for a lake now under management agreement with the department.

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, atlatl, gig, bow, snagging, snaring, grabbing, or pole and line except as further restricted by this chapter.

(A) Bows may not be used to take frogs on the following areas:

1. Blue Springs (Lake Remembrance);
2. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, A. Perry Philips Park Lake, Stephens Park Lake, Twin Lake);
3. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
4. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
5. Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
6. James Foundation (Scioto Lake);
7. Mark Twain National Forest (department-managed portions);
8. Mexico (Lakeview Lake, Kiwanis Lake);

9. Moberly (Beuth Park Lake, Rothwell Park Lake, Water Works Lake); **and**

10. Odessa (Lake Venita).

(B) Only pole and line may be used to take frogs on the following areas:

1. Ballwin (New Ballwin Park Lake, Vlasik Park Lake);
2. Butler City Lake;
3. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake);
4. Ferguson (January-Wabash Park Lake);
5. Jennings (Koeneman Park Lake);
6. Kirksville (Spur Pond);
7. Kirkwood (Walker Lake);
8. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
9. Macon County (Fairgrounds Lake);
10. Mineral Area College (Quarry Pond);
11. Overland (Wild Acres Park Lake);
12. Potosi (Roger Bilderback Lake);
- 13. Raymore (Johnston Lake);**
- ~~13.]14.~~ St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
- ~~14.]15.~~ St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);
- ~~15.]16.~~ St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake);
- ~~16.]17.~~ Sedalia (Clover Dell Park Lake, Liberty Park Pond);
- ~~17.]18.~~ Sedalia Water Department (Spring Fork Lake);
- ~~18.]19.~~ Warrensburg (Lions Lake);
- ~~19.]20.~~ Watershed Committee of the Ozarks (Valley Water Mill Lake);
- ~~20.]21.~~ Wentzville (Community Club Lake); **and**
- ~~21.]22.~~ Windsor (Farrington Park Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.125 Hunting and Trapping. The commission proposes to amend paragraph (1)(B)14., add paragraph (1)(B)27., and renumber subsequent paragraphs of this rule.

PURPOSE: *This amendment corrects an area name and prohibits hunting on a new area under management agreement with the department.*

(1) Hunting, under statewide permits, seasons, methods, and limits, is permitted except as further restricted in this chapter and except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet published in August and annual *Spring Turkey Hunting Regulations and Information* booklet published in March, which are incorporated in this *Code* by reference. A printed copy of these booklets can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and are also available online at www.missouriconservation.org. This rule does not incorporate any subsequent amendments or additions.

(B) Hunting is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center;
2. Bethany (Old Bethany City Reservoir);
3. Buchanan County (Gasper Landing);
4. California (Proctor Park Lake);
5. Carthage (Kellogg Lake);
6. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake);
7. Dexter City Lake;
8. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
9. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake);
10. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
11. Hamilton City Lake;
12. Harrisonville (North Lake);
13. Jackson (Rotary Lake);
14. Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);
15. James Foundation (Scioto Lake);
16. Kirksville (Spur Pond);
17. Lawson City Lake;
18. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
19. Macon County (Fairgrounds Lake);
20. Mexico (Lakeview Lake, Kiwanis Lake);
21. Mineral Area College (Quarry Pond);
22. Moberly (Rothwell Park Lake, Water Works Lake);
23. Mount Vernon (Williams Creek Park Lake);
24. Odessa (Lake Venita);
25. Overland (Wild Acres Park Lake);
26. Potosi (Roger Bilderback Lake);
27. Raymore (Johnston Lake);
- 27./28. Rolla (Schuman Park Lake);
- 28./29. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
- 29./30. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake);
- 30./31. Savannah City Lake;
- 31./32. Sedalia (Clover Dell Park Lake);
- 32./33. Sedalia Water Department (Spring Fork Lake);
- 33./34. Springfield City Utilities (Lake Springfield);
- 34./35. Warrensburg (Lions Lake);
- 35./36. Watershed Committee of the Ozarks (Valley Water Mill Lake); and
- 36./37. Windsor (Farrington Park Lake).

AUTHORITY: *sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For inter-*

vening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 3—DEPARTMENT OF CONSERVATION Division 10—Conservation Commission Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.140 Fishing, Daily and Possession Limits. The commission proposes to amend subsection (2)(B), delete subsection (2)(E), re-letter subsequent subsections, amend new subsection (2)(K), add subsection (2)(U), amend subsection (5)(A), add subsection (5)(E), re-letter subsequent subsections, and amend subsection (8)(A) of this rule.

PURPOSE: *This amendment corrects the name of one (1) lake located in the City of Ballwin under cooperative management agreement with the department, establishes a crappie daily limit of fifteen (15) for St. Charles City and County park lakes managed by the department, establishes statewide daily limits for black bass for California (Proctor Park Lake), corrects an area name, and establishes daily and possession limits for fish on a new area under management agreement with the department.*

- (2) The daily limit for black bass is two (2) on the following lakes:
- (B) Ballwin (New Ballwin **Park** Lake, Vlasik Park Lake)
 - [(E) California (Proctor Park Lake)]
 - [(F)](E) Columbia (Stephens Park Lake, Twin Lake)
 - [(G)](F) Concordia (Edwin A. Pape Lake)
 - [(H)](G) Confederate Memorial State Historic Site lakes
 - [(I)](H) Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake)
 - [(J)](I) Ferguson (January-Wabash Lake)
 - [(K)](J) Higginsville City Lake
 - [(L)](K) Jackson County (Alex George Lake, Bergan Lake, Bowlin [Road] Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)
 - [(M)](L) Jefferson City (McKay Park Lake)
 - [(N)](M) Jennings (Koenenman Park Lake)
 - [(O)](N) Keytesville (Maxwell Taylor Park Pond)
 - [(P)](O) Kirkwood (Walker Lake)
 - [(Q)](P) Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8)
 - [(R)](Q) Mexico (Teal Lake)
 - [(S)](R) Mineral Area College (Quarry Pond)
 - [(T)](S) Overland (Wild Acres Park Lake)
 - [(U)](T) Potosi (Roger Bilderback Lake)
 - (U) Raymore (Johnston Lake)

- (5) The daily limit for crappie is fifteen (15) on the following lakes:
- (A) Ballwin (New Ballwin **Park** Lake, Vlasik Park Lake)

(E) St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake)

[(E)](F) St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake)

[(F)](G) St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake)

[(G)](H) Springfield City Utilities (Fellows Lake)

(8) The daily limit for fish other than those species listed as endangered in 3 CSR 10-4.111 or defined as game fish is twenty (20) in the aggregate, except on the following lakes where the daily limit is ten (10) in the aggregate, and except for those fish included in section (7) of this rule:

(A) Ballwin (New Ballwin **Park** Lake, Vlasis Park Lake)

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Tom A. Draper, Deputy Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION
Division 10—Conservation Commission
Chapter 12—Wildlife Code: Special Regulations for
Areas Owned by Other Entities**

PROPOSED AMENDMENT

3 CSR 10-12.145 Fishing, Length Limits. The commission proposes to delete paragraph (2)(A)6., re-number subsequent paragraphs, amend new paragraph (2)(A)19., add paragraph (2)(A)30., and amend paragraph (2)(B)1. of this rule.

PURPOSE: This amendment establishes length limits for black bass in California (Proctor Park Lake), establishes length limits on fish for a new area under management agreement with the department, and corrects improper conservation area references.

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(A) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Arrow Rock State Historic Site (Big Soldier Lake);
2. Bethany (Old Bethany City Reservoir);
3. Blue Springs (Lake Remembrance);
4. Big Oak Tree State Park (Big Oak Lake);
5. Butler City Lake;

[6. California (Proctor Park Lake);]

[7.]6. Cameron (Reservoir Nos. 1, 2, and 3, Grindstone Reservoir);

[8.]7. Carthage (Kellogg Lake);

[9.]8. Columbia (Stephens Park Lake);

[10.]9. Concordia (Edwin A. Pape Lake);

[11.]10. Confederate Memorial State Historic Site lakes;

[12.]11. Dexter City Lake;

[13.]12. Farmington (Hager Lake, Giessing Lake, Thomas Lake);

[14.]13. Hamilton City Lake;

[15.]14. Harrison County Lake;

[16.]15. Higginsville City Lake;

[17.]16. Holden City Lake;

[18.]17. Iron Mountain City Lake;

[19.]18. Jackson (Litz Park Lake, Rotary Lake);

[20.]19. Jackson County (Alex George Lake, Bergan Lake, Bowlin **[Road]** Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake);

[21.]20. Jefferson City (McKay Park Lake);

[22.]21. Keytesville (Maxwell Taylor Park Pond);

[23.]22. Kirksville (Hazel Creek Lake);

[24.]23. Liberty (Fountain Bluff Park Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);

[25.]24. Maysville (Willow Brook Lake);

[26.]25. Mark Twain National Forest (Fourche Lake, Huzzah Pond, Loggers Lake, McCormack Lake, Noblett Lake, Roby Lake);

[27.]26. Mineral Area College (Quarry Pond);

[28.]27. Odessa (Lake Venita);

[29.]28. Pershing State Park ponds;

[30.]29. Potosi (Roger Bilderback Lake);

30. Raymore (Johnston Lake);

31. Unionville (Lake Mahoney);

32. University of Missouri (Dairy Farm Lake No. 1, McCredie Lake);

33. Warrensburg (Lions Lake);

34. Watkins Mill State Park Lake; and

35. Windsor (Farrington Park Lake);

(B) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Ballwin (New Ballwin **Park** Lake, Vlasis Park Lake)

2. Columbia (Twin Lake);

3. Fenton (Preslar Lake, Upper Fabick Lake, Westside Lake);

4. Ferguson (January-Wabash Lake);

5. Jennings (Koeneman Park Lake);

6. Kirkwood (Walker Lake);

7. Overland (Wild Acres Park Lake);

8. Sedalia Water Department (Spring Fork Lake);

9. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);

10. St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);

11. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake);

12. University of Missouri (South Farm R-1 Lake); and

13. Wentzville (Community Club Lake);

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. and section 252.240, RSMo 2000. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 19, 2012.

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**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 100—Office of Quality Schools**

PROPOSED RULE

**5 CSR 20-100.255 Missouri School Improvement Program—5
Resource and Process Standards and Indicators**

PURPOSE: This rule implements the Resource and Process Standards for Missouri public school districts and is designed to stimulate and promote continuous improvement and innovation within each school district.

(1) Pursuant to section 161.092, RSMo, this rule is to be effective two (2) years from the date of adoption of the proposed rule by the State Board of Education (board). The *Missouri School Improvement Program (MSIP)—5 Resource and Process Standards and Indicators*, Appendix A, included herein, is comprised of qualitative standards for school districts.

APPENDIX A
Missouri School Improvement Program
MSIP-5 Resource and Process Standards and Indicators

RESOURCE STANDARDS FOR K-12 DISTRICTS

R-1—Elementary (typically self-contained)—Each elementary student receives regular instruction in English language arts, mathematics, science, social studies, comprehensive health, art, music, and physical education. In K-8 elementary schools, students will have access to a total of four (4) exploratory classes.

1. Each elementary student will receive regular instruction in English language arts, mathematics, science, social studies, comprehensive health, and career awareness education. Instruction in each of the core areas will reflect the current version of Missouri's academic standards.
2. Each elementary student will receive instruction in art, music, and physical education for a minimum of fifty (50) minutes in each area each week (twenty-five (25) minutes in each area for half-day kindergarten classes). These classes shall be taught by teachers with appropriate certification.
3. If the district is a K-7 or K-8 elementary district, the following must also be addressed:
 - a. Beginning no later than seventh grade, regular instruction in the *United States* and *Missouri Constitutions* and American History and Institutions will be provided (as required by section 170.011, RSMo).
 - b. Students in grades 7-8 will have access to a total of four (4) exploratory classes (e.g., speech, agriculture, family and consumer sciences, industrial technology, world languages, and computer literacy). Each class is taught for a minimum of one thousand two hundred (1,200) minutes each year.
4. Elementary school students shall have a minimum of one (1) recess period of twenty (20) minutes per day, which may be incorporated into the lunch period (as required by section 167.720, RSMo).
5. The school district ensures that students in elementary schools participate in moderate physical activity for the entire school year for an average of one hundred fifty (150) minutes per week, or thirty (30) minutes per day. Students with disabilities must participate to the extent appropriate (as required by section 167.720, RSMo).
6. School districts may offer virtual instruction (e.g., intranet and Internet methods) that may take place outside of the regular school district facility (as described by section 162.1250, RSMo).

R-2—Junior High/Middle School (typically departmentalized)—Each junior high/middle school student will receive regular instruction in English language arts, mathematics, science, social studies, career education, health, and physical education and will have access to art and music plus four (4) exploratory classes. Students in grades 7-8 will have regular instruction in *United States* and *Missouri Constitutions* and American History and Institutions.

1. English language arts, mathematics, science, and social studies are scheduled and taught to all students for at least nine hundred (900) minutes each week in the aggregate (or one thousand eight hundred (1,800) minutes every two (2) weeks).
2. Physical education is scheduled and taught to all students for a minimum of three thousand (3,000) minutes each year and comprehensive health and safety education is scheduled and taught to all students for a minimum of one thousand five hundred (1,500) minutes each year.
3. Art and music are scheduled and taught so that all students have access to each for a minimum of one thousand five hundred (1,500) minutes each year.
4. Students in grades 7-8 will have access to a total of four (4) exploratory classes (e.g., speech, agriculture, family and consumer sciences, industrial technology, world languages, and computer literacy). Each class is taught for a minimum of one thousand five hundred (1,500) minutes each year.
5. Beginning no later than seventh grade, regular instruction in the *United States* and *Missouri Constitutions* and American History and Institutions will be provided (as required by section 170.011, RSMo).
6. School districts may offer virtual instruction (e.g., intranet and Internet methods) that may take place outside of the regular school district facility (as described by section 162.1250, RSMo).

R-3—High School—Each high school provides all students in grades 9-12 sufficient access to content required to meet the minimum graduation credit requirements. Content areas must include: English language arts, mathematics, science, career education, social studies, world languages, fine arts (art and music), physical education, health, practical arts, and personal finance.

1. School districts may offer virtual instruction (e.g., intranet and Internet methods) that may take place outside of the regular school district facility (as described by section 162.1250, RSMo).
2. Students will have access to postsecondary preparation (e.g., Advanced Courses, Advanced Placement, International Baccalaureate, Technical Skills Attainment, and Dual Credit).

R-4—Class Size and Assigned Enrollments—Enrollments will be consistent with both class-size and program standards and total enrollment requirements.

1. Student enrollment in individual classes will be consistent with the following guidelines:

<i>GRADES</i>	<i>STANDARD</i>	<i>DESIRABLE STANDARD</i>
K-2	25	17
3-4	27	20
5-6	30	22
7-12	33	25

2. Full-time elementary art, music, and physical education shall serve no more than seven hundred fifty (750) students per week.

Options:

1. Student enrollment in a classroom may increase by as many as ten (10) students for any period that a paraprofessional assists the classroom teacher full time. (Paraprofessionals paid for with Title I and special education funds cannot be used to increase class size. See the Consolidated Federal Programs Administrative Manual for guidelines on compliance and the use of paraprofessionals for Title I purposes).
2. Elementary school classes may enroll students from two (2) consecutive grade levels. Total enrollment in such classes shall not exceed the class-size standards listed above for the lowest grade included in the combination.
3. High schools can combine sections of a same subject in beginning and advanced levels (e.g., Spanish I and Spanish II or Spanish III and Spanish IV). Total combined enrollment in such classes shall not exceed twenty-five (25) students.
4. Enrollment in performing arts classes may exceed regular class-size limits if adequate supervision and facilities are provided.
5. High school physical education classes may enroll up to forty-five (45) students if appropriate supervision and facilities are provided.

R-5—Library Media Staff—Certificated librarians and/or library media specialists are assigned consistent with the following ratios, based on the student enrollment at each building.

<i>STANDARD</i>		<i>DESIRABLE STANDARD</i>	
<i>Students</i>	<i>FTE</i>	<i>Students</i>	<i>FTE</i>
1-200	.20	1-150	.20
201-400	.40	151-300	.40
401-600	.60	301-450	.60
601-800	.80	451-600	.80
801-1000	1.00	601-750	1.00
1001-1200	1.20	751-900	1.20
1201-1400	1.40	901-1050	1.40
1401-1600	1.60	1051-1200	1.60
1601-1800	1.80	1201-1350	1.80
1801-2000	2.00, etc.	1351-1500	2.00, etc.

R-6—Guidance and Counseling Staff—Certificated counselors are assigned consistent with the following ratios, based on the student enrollment at each building.

<i>STANDARD</i>		<i>DESIRABLE STANDARD</i>	
<i>Students</i>	<i>FTE</i>	<i>Students</i>	<i>FTE</i>
1-100	.20	1-50	.20
101-200	.40	51-100	.40
201-300	.60	101-150	.60
301-400	.80	151-200	.80
401-500	1.00	201-250	1.00
501-600	1.20	251-300	1.20
601-700	1.40	301-350	1.40
701-800	1.60	351-400	1.60
801-900	1.80	401-450	1.80
901-1000	2.00, etc.	451-500	2.00, etc.

R-7—Superintendent—A certificated superintendent is assigned to serve full-time as the district's chief administrative officer.

Options:

1. For a period of one (1) year, any two (2) adjacent districts, that are classified "accredited," may upon prior approval from the Department of Elementary and Secondary Education (department) share a superintendent who possesses a valid Missouri superintendent's certificate. Any two (2) such districts which wish to share a superintendent for more than one (1) year shall obtain prior approval from the State Board of Education (board).

2. A superintendent of schools in a district which employs twenty-five (25) certificated Full Time Equivalent (FTE) or fewer must hold a valid Missouri superintendent's certificate and may serve as the elementary or secondary principal, regardless of principal certification type.
3. Elementary districts (K-8) with over twenty-five (25) certificated FTE must employ a certificated superintendent as chief administrative officer. Elementary districts with twenty-five (25) certificated FTE or fewer may employ either a certificated superintendent or certificated elementary principal as chief administrative officer.

R-8—Associates/Assistants to the Superintendent—Associates/assistants to the superintendent in the areas of curriculum and instruction must have, as a minimum, a master's degree and a valid Missouri teaching certificate. All other associates/assistants to the superintendent should have appropriate training in their field.

STANDARD

Certificated Staff Members (FTE)	Assistants to Superintendent (FTE)
1-100	0
101-200	1
201-300	2
301-400	3
401-500	4
501-600	5
601-700	6
701-800, etc.	7, etc.

Assistant superintendents must have a master's degree and a valid Missouri teaching certificate if their primary responsibilities involve curriculum and instruction. Other assistant superintendents should have training in their field (e.g., Masters in Business Administration might be appropriate for an assistant superintendent of finance). Please note that there is no reference to title in this requirement. Districts may elect to call these positions associate superintendents, deputy superintendents, assistant superintendents, assistants to the superintendent, coordinators, or directors.

R-9—Principals/Building Administrators—Certificated principals, career education directors, and assistant administrators are employed and assigned consistent with the MSIP-5 staff ratios.

STANDARD

*DESIRABLE
STANDARD*

Students	FTE	Students	FTE
1-100	.75	1-150	1.00
101-200	1.00	151-300	1.25
200-450	2.00	301-400	1.50
451-800	2.50	401-600	2.00
801-1000	3.00	601-750	2.50
1001-1200	3.50	751-900	3.00
1201-1400	4.00	901-1050	3.50
1401-1600	4.50	1051-1200	4.00
1601-1800	5.00	1201-1350	4.50
1801-2000	5.50	1351-1500	5.00
2001-2200	6.00	1501-1650	5.50
		1651-1800	6.00
		1801-1950	6.50
		1951-2100	7.00

R-10—Certification and Licensure—All personnel must hold a valid certificate or license appropriate for each assignment.

R-11—Planning Time—Each full-time classroom teacher, including kindergarten teachers, shall have a minimum of two hundred fifty (250) minutes of scheduled planning time each school week. It is desirable to have fifty (50) minutes of planning time each day. Planning time is calculated between the official start and close of the school day and does not include travel time, lunch time, or time before or after school. (Planning time is not required for administrators, counselors, or librarians.)

PROCESS STANDARDS FOR K-12 DISTRICTS

TEACHER/LEADER

TL-1—The local board of education adopts and the district implements teacher/leader standards ensuring effective instructional staff for all students.

1. The local board adopts and the district implements professional teacher standards as required by section 161.380.2., RSMo.
2. The local board adopts and the district implements professional leader standards.
3. The district adopts and implements an educator evaluation system that is aligned to the essential principles of effective evaluation to ensure effective teachers and leaders.

4. Teachers and leaders apply professional judgment and use standards to inform and improve practice.

TL-2—Professional learning drives and supports instructional practices in the district and leads to improve student learning.

1. All staff participate in regularly scheduled, ongoing professional learning focused on student performance goals as outlined in the Comprehensive School Improvement Plan (CSIP).
2. Professional learning is job embedded and promotes evidence-based instructional practice.
3. The development and implementation of effective practices are supported through ongoing coaching, mentoring, and collaboration.
4. Effective practices are monitored for fidelity of implementation through observation and supervision of classroom practices.
5. Professional learning is regularly monitored for evidence of commitment, practice, and impact.
6. School-based collaborative teams are in place and focus on data informed decision-making, reflective practices, collaborative lesson design, examination of student work and student assessment, curriculum development, positive classroom learning environments, utilization of case studies, and action research.
7. The district has a written procedural plan for professional learning that includes the required components.
8. The district provides time and resources for the professional learning of each staff member.

INSTRUCTION

I-1—Instructional staff routinely provide effective instruction designed to meet the needs of all learners.

1. Instructional staff routinely collaborate and use student data to inform timely interventions to address a continuum of student needs.
2. Instruction is routinely differentiated to address the needs of all students.
3. Instructional staff use evidence-based instructional practices to meet the learning needs of all students.
4. Comprehensive PK-12 literacy instruction is provided.
5. All staff are an integral part of the instructional practices in every building.
6. All staff demonstrate effective use of available instructional time.
7. Instructional staff design and use appropriate, meaningful, and rigorous learning tasks for all students.
8. Building leaders demonstrate that supervision of instruction is a priority.
9. Utilization of evidence-based instructional practices is monitored by instructional staff and building leaders for fidelity of implementation.

I-2—Instructional staff use effective assessment practices to monitor student learning and adjust instruction.

1. Instructional staff use both formative and summative assessments to monitor student learning and adjust instruction.
2. The district provides structures for instructional staff to regularly and systemically use common assessment results and other student work to make adjustments to curriculum, instruction, and intervention strategies and to determine the extent in which expectations for student work are aligned with state standards.
3. Classroom assessments include the use of higher order thinking and problem-solving skills, as well as complex reasoning skills.
4. Timely, descriptive, and constructive feedback from assessments is provided to students and parents.

I-3—The district identifies and provides effective differentiated learning and behavioral support systems for all students.

1. A written process is in place for the early identification and implementation of differentiated learning and behavioral supports for all students.
2. Learning and behavioral supports are identified and coordinated at the classroom, building, and district level.
3. The district uses a variety of student and program data to monitor, evaluate, and inform decision-making to identify and implement successful learning and behavioral supports.
4. The district, through collaboration with community partners, provides learning and behavioral supports to address the academic, physical, and mental health barriers impacting student success.
5. Learning and behavioral supports are monitored for fidelity of implementation through observation and supervision of classroom practices.

I-4—The district administers state-required tests and other assessments and uses disaggregated and longitudinal data to inform and adjust systems, curriculum, and instructional practices.

1. The district has a written assessment plan that includes the required components.
2. The district uses a variety of data (e.g., longitudinal, demographic, diagnostic, and perceptual) to support and inform district-wide decisions.
3. The local board of education annually reviews performance data disaggregated for any subgroup of five (5) or more students at a grade level in order to effectively monitor student academic achievement and persistence to graduation rates.
4. The district uses disaggregated data to adjust instruction for subgroups and has criteria for evaluating the effectiveness of these adjustments.

I-5—The local board of education adopts and district staff implement, review, and revise a rigorous, guaranteed, and viable curriculum for all instructional courses and programs.

1. The district has a rigorous, written curriculum that includes the required components.
2. Essential content and skills that all students should know and be able to do have been identified.
3. Adequate instructional time is available to implement the written curriculum.
4. The written, taught, and assessed curriculum are the same.
5. The district's curricula are aligned to the most current version of Missouri's academic standards and the English language development standards.
6. Written procedures are in place to ensure that the written curriculum is implemented and is a part of the district's program evaluation plan.
7. The district's written curriculum development and revision processes include PK-12 vertical teams of instructional staff administrators (including teachers of all student populations) who meet regularly to ensure articulation and vertical alignment.

I-6—Guidance and counseling is an essential and fully integrated part of the instructional program.

1. A district-wide guidance and counseling program has been developed and is fully implemented in every building consistent with the Missouri Comprehensive Guidance and Counseling Program framework.
2. The PK-12 guidance curriculum is in place and integrated into the regular curriculum where appropriate. It is systematically reviewed and revised.
3. The guidance curriculum is regularly reviewed and revised and is part of the district's evaluation plan.
4. All students, beginning no later than seventh grade, participate in an individual planning process designed to assist in a successful transition to college, technical school, the military, or the workforce.
5. All students have access to responsive services that assist them in addressing issues and concerns that may affect their academic, career, and personal/social needs.
6. System support and management activities are in place to ensure full implementation, evaluation, and continued improvement of the district's comprehensive guidance program.

I-7—The district establishes a culture focused on learning, characterized by high academic and behavioral expectations for all students.

1. A systemic process for establishing and maintaining a positive learning climate is evident in each building.
2. Responsibility for the success of all students is evident in the shared mission and vision of the district.
3. Staff, administrators, and students all share in the accountability for academic achievement by being actively engaged in learning and demonstrating appropriate standards of behavior.
4. Curricular choices and course offerings reflect an increasing and ongoing dedication toward future success of all students.
5. A well-balanced, comprehensive co-curricular and extracurricular activities program is in place and aligned to the mission and vision of the district.

I-8—The district provides a safe and orderly environment for all students and staff.

1. Students and staff indicate that they feel safe at school.
2. A written code of conduct which specifies acceptable student behavior, consequences, and discipline procedures and which includes

appropriate measures to ensure the safety of students to and from school, during school, and during school-sponsored activities is distributed to staff, teachers, parents, and students.

3. Standards of conduct are consistently and equitably enforced by all staff.
4. Required violence-prevention instruction, including harassment and anti-bullying information, has been provided for all students and staff.
5. Data are gathered on student violence and substance abuse and are used to modify programs and strategies to ensure safe and orderly schools.
6. Written procedures are in place to proactively identify and prevent potential disruptions to a safe and orderly school climate.

I-9—High quality, fully integrated career education is available to all secondary students.

1. The district has implemented programs of study for each program offered which sequences academics and career education content, leading students to attain a postsecondary degree, an industry-recognized certificate, credential, or into the workplace with a skill set conducive toward career advancement.
2. The career education program has a written curriculum for each course with a balance among classroom/laboratory instruction, leadership, and personal learning.
3. Written curriculum drives classroom instruction and assessment of technical skill attainment.
4. The appropriate Career and Technical Student Organization (CTSO) is affiliated with the state and national organization and is an intra-curricular element of the program.
5. A system of data collection and evaluation provides the information necessary for program review and development so that students are prepared for postsecondary success leading to quality employment opportunities.

I-10—Library Media Centers (LMC) are an essential and fully integrated part of the instructional program.

1. The library media center and its resources support, enhance, and enrich the curriculum.
2. The library media staff collaborate with instructional staff to integrate LMC resources and services into the instructional program.
3. Students have access to a full range of information, digital access, and reading resources and services in the LMC.
4. The LMC program is evaluated annually.

I-11—The district advances excellence in teaching and learning through innovative and effective uses of technology.

1. The district has a systemic plan aligned with a shared vision for school effectiveness and student learning through the infusion of information and communication technology (ICT) and digital learning resources.
2. The district provides consistent, adequate, and ongoing support of technology infrastructure, personnel, and digital resources.
3. The district provides equitable and reliable access to current and emerging technologies and digital resources, with connectivity for all students, teachers, staff, and school leaders.
4. The district provides access to ongoing professional learning in technology and opportunities for dedicated time to practice and share ideas.
5. The district evaluates the impact of information and communication technology on teaching and learning.
6. The district maintains technology that supports current assessment practices.

GOVERNANCE

G-1—The local board of education, district leadership, and staff contribute to the success of every student by being ethical and acting with fairness and integrity.

1. The local board of education has adopted and the district leadership enforces a professional code of ethics for all employees.
2. The local board of education has adopted and adheres to its own code of ethics.
3. Respect of other's rights is included in district policies and procedures.

G-2—The local board of education adopts and district leadership implement a Comprehensive School Improvement Plan (CSIP) to ensure the achievement and success of all students.

1. The local board of education and district leadership, in collaboration with the community, use qualitative data, quantitative data, and evaluation results to create a written, board-approved CSIP which drives improvement in student learning and guides the overall improvement of its educational programs and services.

2. The school district maintains a current school improvement plan that includes all of the required components.
3. There is a written evaluation process for the CSIP, and it is regularly evaluated and updated.
4. The local board of education utilizes the CSIP to monitor progress and continuous improvement of programs and services.

G-3—The local board of education and district leadership collect qualitative and/or quantitative data to guide and monitor the development and implementation of a shared mission and vision with systemic goals that ensure high expectations for every student.

1. The local board of education and district leadership, with input from all stakeholders, guide the development of a district-wide, learning-focused mission and vision that are reviewed annually and revised as needed.
2. The local board of education and district leadership hold all staff accountable for continuous school improvement and increased student learning.

G-4—The local board of education and district leadership promote the achievement and success of all students by monitoring and continuously improving all programs and services that support the mission and vision of the district.

1. The local board of education regularly reviews the goals and objectives of each program/service, at least biennially, and makes data-driven decisions about program effectiveness utilizing an evaluation plan.
2. The local board of education adopts and the district implements an evaluation plan that analyzes the effectiveness of all programs and services.
3. The district collects perceptual data from students and uses that information to make informed decisions about its programs and services.
4. Patrons, parents, staff, and students have opportunities to serve on committees, including those required by state or federal regulations, to study specific issues and provide feedback on district programs and services.
5. The district reviews and analyzes postsecondary success rates to make informed decisions.

G-5—The district complies with all provisions, regulations, and administrative rules applicable to each state and/or federal program implemented.

G-6—The local board of education and district leadership ensure collaboration with state and local agencies that have responsibility for the success, health, safety, and welfare of students.

1. The district identifies and advocates for policies and programs that promote equitable learning opportunities and success for all students, regardless of socio-economic background, ethnicity, gender, disability, or other individual characteristics.
2. The district collaborates with community leaders to collect, describe, and analyze data on economic, social, and other emerging issues that impact district and school planning, programs, and organization.
3. The district collects and accurately communicates data about educational performance in a clear and timely way to improve policies and inform community decisions.
4. District leadership implements processes to ensure regular collaboration with other agencies/organizations to respond to student needs in a timely manner.

G-7—The local board of education understands the role and responsibilities of the local board and acts accordingly.

1. Policymaking functions are carried out by the local board of education, while administrative functions are carried out by the superintendent and the staff. All formal contact between the local board of education and the staff is channeled through the superintendent.
2. The local board of education has established policies and written procedures are in place to guide district decision-making and to meet federal and/or state requirements. Policies and procedures are reviewed on a regular basis and reflect current statutory requirements.
3. The local board of education meets regularly in accordance with applicable statutes, keeps accurate and complete records of its decisions, and makes the records of all open meetings available for public view.
4. Members of the local board of education receive training as required by law.
5. Local board of education members participate in continued training and professional learning.

G-8—The local board of education and district leadership manage organizational systems and resources for a safe, high-performing learning environment.

1. The local board of education and the district leadership use information systems to enhance internal and external communication supporting the district's mission and vision related to improved student performance.
2. District staff use documented evidence (e.g., observations, walkthroughs, collaborative teams, and mentoring) to develop professional

growth plans.

3. The community, through the local board of education, provides sufficient financial resources to ensure an educational program of quality.
4. The local board of education establishes policy and the district leadership implements procedures to ensure efficient fiscal management and accountability.
5. The local board of education and district leadership employ appropriate procedures to ensure the accurate and timely reporting of required data to state and federal agencies.
6. The local board of education and district leadership ensure facilities that are healthful, adequate in size, clean, well-maintained, and appropriate to house the educational programs of the district.
7. The local board of education and district leadership ensure all facilities are safe.
8. The district leadership has developed and implemented a coordinated approach to school health services.
9. The district ensures a school nutrition program is available which provides at least one (1) nutritionally balanced meal available to all students each day in accordance with Federal and State Child Nutrition Program regulations and guidelines.
10. The district ensures safe and efficient transportation to and from school is provided in compliance with Missouri statutes, regulations, and local board of education policy.

G-9—The local board of education, district leadership, and staff collaborate with families and community members who represent diverse interests and needs to mobilize community resources that improve teaching and learning.

1. The local board of education, district leadership, and staff systematically and frequently provide information to the public about school programs.
2. The district has procedures to involve family and community members in educational activities.
3. District leadership identifies preschool opportunities available to children and informs family and community members about the importance of early childhood education.

G-10—The district's birth through pre-kindergarten population will have access to high-quality early learning experiences that will prepare them to succeed in school.

G-11—The district provides opportunities for parents/guardians to learn about the intellectual and developmental needs of their children at all ages and to participate constructively in their children's education.

1. Parent education activities are provided as required by the Early Childhood Development Act (ECDA).
2. The district actively cooperates with other agencies or school groups (e.g., parent-teacher organizations and Title I) to provide information related to child development and/or parenting skills.
3. Formal strategies are in place to include parents/guardians in the educational process, and these strategies have been implemented successfully.

AUTHORITY: sections 160.514, 160.526, and 167.131, RSMo 2000, and sections 160.518, 161.092, 162.081, and 168.081, RSMo Supp. 2011. Original rule filed Sept. 20, 2012.

PUBLIC COST: The cost of this proposed rule to public school districts is an estimated cost of \$1,953,312,727 for salaries based on the recommended standards for staff assignment for FY 2013 for the life of the rule based on the current cost.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in the support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Margie Vandeven, Assistant Commissioner, Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480 or by email at: msip@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Title: Department of Elementary and Secondary Education
Division: Division of Learning Services - 20
Chapter: Office of Quality Schools - 100
Type of Rulemaking: Proposed Rule
Rule Number and Name: 5 CSR 20-100.255 Missouri School Improvement Program-5
Resource and Process Standards and Indicators

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Public Elementary and Secondary School Districts	\$1,953,312,727 is an estimated cost for salaries based on the recommended standards for staff assignment for FY2013 for the life of the rule based on the current costs.

III. WORKSHEET

Cost for Public Elementary and Secondary Districts

Based upon these standards, district resource needs will vary based upon on student enrollment. Other factors include the size of individual school buildings and the number of staff employed. For purposes of this fiscal note, the calculation of the total cost for all school districts is based on the number of buildings that correspond to the enrollment or staff sizes indicated in the standard.

	4 th Cycle	MSIP-5	Change	Notes
Class Size and Assigned Enrollment	\$1,412,117,358	\$1,412,117,358	\$0	
Library Media Staff	\$ 75,255,383	\$ 75,255,383	\$0	
Guidance/Counseling Staff	\$ 75,510,086	\$ 75,510,086	\$0	
Associates/Asst. Supt.	\$ 34,228,500	\$ 34,228,500	\$0	
Principals/Bldg. Admin.	\$ 178,478,183	\$ 356,201,400	+\$177,723,217	This change reflects a change in the principal student ratio from 4 th Cycle MSIP to MSIP-5. 4 th Cycle reflects a 1/500 principal/student ratio. MSIP-5 reflects a 1/400 principal/student ratio.
		\$1,953,312,727		

IV. ASSUMPTIONS

This rule establishes Resource and Process Standards and Indicators for the Missouri School Improvement Program-5 (MSIP-5), designed to promote continuous improvement in districts on a statewide basis. Classification of local school districts will be determined by the MSIP-5 Performance Standards and Indicators.

Under current state law, districts are not held accountable to the resource standards during the FY2011, FY2012 and FY2013 if the state aid foundation formula is underfunded. If the Governor withholds funds from the state aid formula during the current year, districts would not be held accountable for the resource standards during the 2013-14 school year.

Data for both 4th Cycle MSIP and MSIP-5 are based on the most recently completed school year.

Class Size and Assigned Enrollment:

- K-2 208,108 students/25 students per class = 8,324 teachers
 8,324 teachers x \$46,731 Average Teachers Salary = \$388,988,844
- 3-4 134,685 students/27 students per class = 4,988 teachers
 4,988 teachers x \$46,731 Average Teachers Salary = \$233,094,228
- 5-6 136,581 students/30 students per class = 4,553 teachers
 4,553 teachers x \$46,731 Average Teachers Salary = \$212,766,243
- 9-12 407,654 students/33 students per class = 12,353 teachers
 12,353 teachers x \$46,731 Average Teachers Salary = \$577,268,043

Library Media Staff

1,439 Library Media Staff x \$52,297 Average = \$75,255,383

Guidance and Counseling Staff

1,439 Guidance and Counseling Staff x \$52,474 Average Salary = \$75,510,086

Associates/Assistants to the Superintendent

300 Associates/Assistants to the Superintendent x \$114,095 Average Salary = \$34,228,500

Principals/Building Administrators

4,364.25 Principals/Bldg. Administrators x \$81,618.01 Average Salary = \$356,201,400
(MSIP-5)

2,186.75 Principals/Bldg. Administrators x \$81,618.01 Average Salary = \$178,478,183
(4th Cycle MSIP)

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

PROPOSED RULE

11 CSR 45-5.193 Statistical Performance of Electronic Gaming Devices

PURPOSE: This rule establishes the standards for electronic gaming device statistical performance.

(1) Gaming equipment suppliers shall—

(A) Provide the volatility index (VI) on all Probability Accounting Report (PAR) sheets. The volatility index shall be calculated at ninety-nine percent (99%) confidence level and at one (1)-line played, or the electronic gaming device (EGD) minimum bet where applicable, utilizing the below formulas:

$$VI = \kappa\sigma$$

Where κ equals the z score for the required confidence level and σ is the standard deviation for the game.

The standard deviation is calculated as follows:

$$\sigma = \sqrt{\sum_{i=1}^n (\text{Net Pay}_i - E.V.)^2 \times \text{probability}_i}$$

Net Pay_{*i*} = 1 minus (the amount of each individual pay divided by the number of coins wagered)

E.V. = player's theoretical disadvantage (i.e., hold percentage) for "x" coins wagered

Probability_{*i*} = probability of each Net Pay_{*i*}

(B) Calculate PAR sheets to a ninety-nine percent (99%) confidence value utilizing theoretical analysis. When the Return To Player (RTP) percentage cannot be feasibly computed using theoretical analysis, the RTP percentage shall be computed within a tolerance of 0.01% at ninety-nine percent (99%) confidence level using at least one hundred (100) million simulations;

(C) Obtain written authorization from the commission prior to submitting any EGDs that support features which introduce independent VIs to an independent testing laboratory;

(D) Ensure EGD payouts derived from top boxes, external controllers, or systems that are calculated into the PAR sheet(s) of the base game increment the coin-out or hand-paid meter accordingly. Any features not calculated into the PAR sheet(s) of the base game must increment the appropriate meter(s) such as the progressive, bonus meter, etc.; and

(E) Ensure all base game, bonus and progressive winnings from a wager are aggregated to determine whether the EGD payout is a reportable and/or taxable event requiring the EGD to lock up allowing for the preparation of a W-2G and state withholdings as required by section 313.826, RSMo.

(2) Independent testing laboratories shall—

(A) Independently verify the manufacturers' VI and RTP percentage, then detail the findings in the certification letter; and

(B) Provide standard confidence intervals in the certification letters using this formula—

$$\text{Percent Payback} \pm \frac{VI}{\sqrt{\text{number of games played}}}$$

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. 2011. Original rule filed Sept. 27, 2012.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for December 12, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

PROPOSED AMENDMENT

11 CSR 45-9.105 Minimum Internal Control Standards (MICS)—Chapter E. The commission is amending section (1).

PURPOSE: This amendment updates the minimum internal control standards for electronic gaming devices.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter E—Electronic Gaming Devices (EGDs), which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter E does not incorporate any subsequent amendments or additions as adopted by the commission on [September 29, 2010] **September 26, 2012**.

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. [2010] **2011**. Original rule filed Oct. 22, 2010, effective June 30, 2011. Amended: Filed Sept. 27, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost one (1) supplier licensee a one (1)-time cost of between fifteen thousand seven hundred ninety dollars (\$15,790) and seventeen thousand seven hundred ninety dollars (\$17,790). It would also cost one (1) Class A Licensee a one (1)-time cost of four thousand two hundred dollars (\$4,200). In addition, this proposed amendment will cost thirteen (13) casino Class B Licensees reoccurring annual costs of one hundred seventeen thousand six hundred ninety dollars and eighty-two cents (\$17,690.82) to apply the new standards for this chapter. Data provided by the industry was used to quantify the cost associated with implementing the proposed standards. A detailed fiscal note outlines these costs for each individual section within the MICS Chapter E.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this

*notice in the **Missouri Register**. A public hearing is scheduled for December 12, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.*

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 11—Department of Public Safety
Division Title: 45—Missouri Gaming Commission
Chapter Title: 9—Internal Control System**

Rule Number and Title:	11 CSR 45-9.105 Minimum Internal Control Standards (MICS)—Chapter E
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
E § 1.05—One Supplier	One supplier developing and testing the door report	\$8,895
13 Casinos	Casino Class B Licensees annual cost for running reports	\$45,968
	Total Cost for E § 1.05	\$8,895 one-time cost + \$45,968 annual cost
E § 2.20— One Supplier	One supplier developing and testing the report	\$8,895
13 Casinos	Casino Class B Licensees annual cost for running reports	\$6,722.82
	Total Cost for E § 2.20	\$8,895 one-time cost + \$6,722.82 annual cost
One Class A Licensee	Software installation for E § 1.05 & E § 2.20	\$4,200
	Total Cost for E § 1.05 & 2.20	\$4,200 one-time cost
E § 6.08—13 Casinos	Casino Class B Licensees gathering information and performing reviews	\$1,300-\$5000 each casino
	Total Cost for E § 6.08	\$65,000 annual cost
	Total Annual Cost	\$117,690.82 annual cost
	Total One-time Cost	\$21,990 one-time cost

III. WORKSHEET**Minimum Internal Control Standard (MICS) Chapter E—Electronic Gaming Devices (EGDs)**

E § 1.05 One-time costs are estimated are \$8,895, Annual recurring costs are estimated as \$45,968 for all casinos.

The estimated cost for developing, testing, and installing the door report in the ACSC system is $120 \text{ hours} \times \$50 = \$6,000$ plus the cost of independent lab approval which is \$2,895 for a total of \$8,895. The other slot accounting platforms already have a report available. The cost of labor at each casino to run the report and fix any broken door alarms would be 4 hours of labor at \$17 an hour for a total cost of \$68 a week. The total labor cost for all casinos would be $\$68 \times 52 \text{ weeks} \times 13 \text{ casinos}$ or \$45,968.00.

E § 2.20 One-time costs are estimated to be from \$6,895—\$8,895, Annual recurring costs are estimated as \$6,722.82 for all casinos.

The estimated cost for the creating the report for the ACSC system is \$4,000–\$6,000 and getting the report tested by GLI or BMM would cost \$2,895 for a total of \$6,895–\$8,895. The other slot accounting platforms already have a report available. In addition, each casino would have to run this report once for each gaming day of the year. The time required to run the door report would be 5 minutes resulting in an additional 30.42 hours of labor each year for each casino. With an average salary with benefits at \$17 an hour, the estimated cost per casino each year would be \$517.14. The cost for all thirteen casinos would be \$6,722.82.

E § 1.05 and E § 2.20 One-time costs are estimated to be \$4,200.

A Class A Licensee will have to perform a system upgrade to the ACSC system to obtain the new reports required by these two standards. The estimated cost per hour to have the manufacturer perform the upgrade is \$175 an hour. The estimated time required to perform the upgrade is 24 hours for a total of \$4,200.

E § 6.08 Annual reoccurring costs are \$65,000 per year for all casinos

This rule is estimated to cost staff the time to gather the necessary information and perform the reviews/investigations. As the rule is written, it will cost approximately \$1,300–\$5,000 annually in labor expense to comply for each casino. With thirteen casinos the total cost would be \$65,000.

IV. ASSUMPTIONS

Sections of the MICS Chapter E not referenced above are assumed to have less than \$500 fiscal impact per casino in the aggregate, based on the information provided to the MGC.

Please note that each section of the proposed MICS Chapter E applies to each business entity differently. Factors such as the existing Slot Accounting System and Casino Management System, number of Electronic Gaming Devices (EGDs) on the casino floor, and existing network architecture shall be considered and independently referenced.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

PROPOSED AMENDMENT

**11 CSR 45-9.118 Minimum Internal Control Standards (MICS)—
Chapter R.** The commission is amending section (1).

PURPOSE: This amendment updates minimum internal control standards by changing existing forms and adding new forms needed for accounting processes, electronic signatures, jackpots, gift log, wire transfers, unclaimed property, and floating employee window.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards* (MICS) Chapter R—Forms, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter R does not incorporate any subsequent amendments or additions as adopted by the commission on [March 28, September 26, 2012.

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. 2011. Original rule filed June 30, 2010, effective Jan. 30, 2011. Amended: Filed Dec. 8, 2011, effective July 30, 2012. Amended: Filed Sept. 27, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for December 12, 2012, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 35—Children's Division
Chapter 100—Tax Credits**

PROPOSED AMENDMENT

13 CSR 35-100.010 Residential Treatment Agency Tax Credit. The division is amending the purpose and sections (1)–(5), (7), and (11), and adding the Tax Credit Transfer Form to the rule.

PURPOSE: This rule is being amended to reflect changes that were made in section 135.1150, RSMo, as a result of SB 86 (2007), Special Session HB 1 (2007), and HB 1172 (2012). Additionally typographical changes have been made.

PURPOSE: This rule describes the procedures for the implementation of section 135.1150, RSMo [Supp. 2006], Residential Treatment Agency Tax Credit Act], to reflect the requirements of SB 614 (2006)].

(1) In general, a qualified residential treatment agency may apply for tax credits on behalf of taxpayers who make cash donations to the agency. The amount of total credits available to any qualified residential treatment agency cannot exceed [forty percent (40%) of] the total funds received from the Department of Social Services in the preceding twelve (12) months. Those who donate to qualifying providers are eligible to receive a tax credit up to fifty percent (50%) of their donation. Qualified residential treatment agencies that accept these donations are required to remit payments equivalent to the amount of the tax credit to the state of Missouri.

(2) Definition of terms[.]:—

(A) "Certificate," a tax credit certificate issued to a taxpayer who makes an eligible [monetary] donation to a qualified residential treatment agency as described under section 135.1150, RSMo;

(B) "Eligible [monetary] donation," [a cash] donations received from a taxpayer by a qualified residential treatment agency that [is/ are] used solely to provide direct care services to children who are residents of this state. Direct care services include but are not limited to increasing the quality of care and service for children through improved employee compensation and training[.]; Eligible donations may include cash, publicly traded stocks and bonds, and real estate;

(C) "Qualified residential treatment agency," a residential treatment care facility that—

1. Is licensed under section 210.484, RSMo; and

2. Is accredited by—

A. Council on Accreditation (COA); or

B. Joint Commission on Accreditation of Healthcare Organizations (JCAHO); or

C. Commission on Accreditation of Rehabilitation Facilities (CARF); and

3. Is under contract with the Department of Social Services to provide treatment services for children who are residents or wards of residents of this state; and

4. Receives [monetary] donations. Any agency that operates more than one (1) facility or at more than one (1) location can only be eligible for the tax credit for eligible [monetary] donations made to facilities or locations of the agency which are licensed and accredited;

(D) "Taxpayer," any of the following individuals or entities who make eligible [monetary] donations to a qualified residential treatment agency[.]:—

1. A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri, and subject to the state income tax imposed in Chapter 143, RSMo;

2. A corporation subject to the annual corporation franchise tax imposed in Chapter 147, RSMo;

3. An insurance company paying an annual tax on its gross premium receipts in this state;

4. [or a]Any other financial institution paying taxes to the state of Missouri or any political subdivision of the state under Chapter 148, RSMo; or

5. Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under Chapter 143, RSMo; and

(3) Beginning January 1, 2007, any taxpayer will be allowed to claim a credit against their state tax liability, as defined in subsection (2)(E) of this rule, equivalent to fifty percent (50%) of the eligible [monetary] donation the taxpayer made to a qualified residential treatment agency. The amount of the tax credit claimed may not exceed the amount of the taxpayer's state income tax liability in the tax year that the credit is being claimed.

(4) Qualified residential treatment agencies must apply for the tax credit on behalf of the taxpayers. Required information includes:

(C) A statement attesting to the receipt of an eligible *[monetary]* donation, which includes the following information:

1. Taxpayer type and supporting documentation when applicable;

- [1.]/2. Taxpayer's name;
- [2.]/3. Taxpayer's identification number;
- [3.]/4. Amount of the eligible *[monetary]* donation **and supporting documentation, when applicable;**
- [4.]/5. Amount of anticipated tax credit;
- [5.]/6. Date the donation was received by the agency; **and**
- [6.]/7. Signature of the executive director;

(D) Payment from the qualified residential treatment agency equal to the value of the tax credit for which the application is being submitted. Checks must be made payable to the Department of Social Services/./; and

(E) Verifying documentation must be attached to the tax credit application. The type of documentation required will depend on the type of donation. Required documentation includes the following:

1. Cash—legible receipt from the residential treatment agency which indicates the name and address of the organization; name, address, and telephone number of the contributor; amount and date the contribution was received; and signature of a representative of the residential treatment agency receiving the contribution;

2. Check—photocopy of the canceled check, front and back—if not possible then copy of the original check and a receipt from the residential treatment agency including the same information required of a cash donation as described in paragraph (4)(E)1. of this rule;

3. Credit card—legible transaction receipt with the name and address of the residential treatment agency; contributor's name, address, and telephone number; amount and date the contribution was received; and signature of a representative of the residential treatment agency receiving the contribution. Receipts should have the credit card account number blacked out;

4. Money order or cashier's check—legible copy of the original document with the name and address of the qualified residential treatment agency; contributor's name, address, and telephone number; amount and date the contribution was received; and signature of a representative of the residential treatment agency receiving the contribution;

5. Values of contributed stocks and bonds must be determined by a reputable source (e.g., *Wall Street Journal*, New York Stock Exchange (NYSE), National Association of Securities Dealers Automated Quotations (NASDAQ), etc.). Information required when submitting applications for tax credit shall include the source and date the stock was valued and how the bond amount was determined;

6. The value of contributions of real estate shall be equal to the lowest of at least two (2) qualified independent appraisals for commercial, vacant, or residential property that has been determined to have a value of over twenty-five thousand dollars (\$25,000). Commercial, vacant, or residential property having a value of twenty-five thousand dollars (\$25,000) or less will require only one (1) appraisal; and

7. Contributions that include a benefit to the donor—documentation required will depend on how the type of contribution was made (i.e., cash, check, etc.). The same information is required as described in paragraphs (4)(E)1.–4. of this rule. Additional information required includes the type of function or event from which the benefit was received, description of the benefit received (if an auction item, identify the item received), gross amount of the contribution, fair market value of the benefit, and how the fair market value of the benefit was determined.

(5) All applications and payments must be submitted within twelve (12) months from date the eligible *[monetary]* donation was

received from the taxpayer. Tax credit applications submitted more than one (1) year following the date of the contribution will be void and the right to the tax credit will be forfeited.

(7) Total tax credits issued for any qualified residential treatment agency cannot exceed *[forty percent (40%) of]* the total payments made by the Department of Social Services to the qualified residential treatment agency in the twelve (12) months preceding the month the application for the tax credit was received. In the event the total credits exceed *[forty percent (40%) of]* the total payments made to a qualified residential treatment agency by the Department of Social Services, the application and payment will be returned to the qualified residential treatment agency and may be resubmitted by the agency within thirty (30) days of the date the application was returned or within twelve (12) months from the date the *[monetary]* donation was received by the agency, whichever is later.

(11) The owner of a **residential treatment agency tax credit** certificate *[indicating a residential treatment agency tax credit]* may assign, transfer, sell, or otherwise convey the certificate. The new owner will have the same rights as the original owner. When a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement must be submitted to the Department of Social Services within thirty (30) days of the date of the transaction. Information submitted must include:

- [/A) New owner name;
- [/B) New owner address;
- [/C) New owner taxpayer identification number;
- [/D) Value of the tax credit (amount of claimable tax credit remaining);
- [/E) Date of transaction.]

(A) A complete and accurate Department of Social Services Tax Credit Transfer Form (Attachment B, included herein). Forms may also be obtained by writing to the address provided in subsection (4)(A) and section (6) of this rule.



MISSOURI DEPARTMENT OF SOCIAL SERVICES
TAX CREDIT TRANSFER

The Department of Social Services (DSS) tax credit transfer form must be used when transferring eligible tax credits administered by the DSS. You must submit a separate Tax Credit Transfer form for each tax credit transfer being requested. The sale or transfer of a tax credit may have income tax consequences for the assignor and assignee. Consult your tax advisor for more information.

ASSIGNOR

NAME OF ASSIGNOR	ASSIGNOR TELEPHONE NUMBER
------------------	---------------------------

ASSIGNOR ADDRESS

ASSIGNOR TAXPAYER IDENTIFICATION NUMBER (SOCIAL SECURITY NUMBER)

TRANSFER

TAX CREDIT TYPE

☐ PREGNANCY RESOURCE CENTER TAX CREDIT ☐ RESIDENTIAL TREATMENT AGENCY TAX CREDIT ☐ DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT

APPROVED CERTIFICATE NUMBER	(OFFICE USE ONLY)
-----------------------------	-------------------

VALUE OF TAX CREDIT (SEE INSTRUCTIONS)	DATE OF TRANSFER	TAX CREDIT SELLING PRICE (SEE INSTRUCTIONS)
--	------------------	---

CERTIFICATION

ASSIGNOR SIGNATURE	DATE
--------------------	------

PRINTED NAME	(OFFICE USE ONLY)
--------------	-------------------

ASSIGNEE

NAME OF ASSIGNEE	ASSIGNEE TELEPHONE NUMBER
------------------	---------------------------

ASSIGNEE ADDRESS

ASSIGNEE TAXPAYER IDENTIFICATION NUMBER (SOCIAL SECURITY NUMBER)

TAXPAYER TYPE (REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)

☐ Individual ☐ Corporation ☐ Partnership* ☐ S Corporation* ☐ LLC* ☐ Charitable Organization*
☐ Financial Institution ☐ Insurance Company

CERTIFICATION

ASSIGNEE SIGNATURE	DATE
--------------------	------

PRINTED NAME	(OFFICE USE ONLY) REISSUE CERTIFICATE NUMBER
--------------	--

NOTARY PUBLIC EMBOSSEER SEAL	STATE OF	COUNTY (OR CITY OF ST. LOUIS)
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	NOTARY PUBLIC NAME	MY COMMISSION EXPIRES
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	NOTARY PUBLIC SIGNATURE
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	USE RUBBER STAMP IN AREA BELOW
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Appeared before me on this _____ day of _____, 20____, _____
and _____ to me personally known to be the persons who executed the above
certifications, and acknowledged and states that he/she executed the same for the purpose therein stated.

**MISSOURI DEPARTMENT OF SOCIAL SERVICES
TAX CREDIT TRANSFER**

Information provided below must include all individuals listed on the original tax credit certificate.

1. Provide the Assignor's LEGAL name. The Assignor is the person transferring ownership of the tax credit (e.g. the seller).
2. Provide the Assignor's complete address including city, state and zip code.
3. Provide the Assignor's taxpayer identification number or social security number.
4. Indicate the type of tax credit certificate being transferred (i.e. Pregnancy Resource Center, Developmental Disability Care Provider or Residential Treatment Agency tax credit).
5. Provide the original tax credit certificate number.

6. Provide the value of the tax credit on the date of transfer. This is the amount of the approved tax credit or, if some portion of the tax credit was previously used, this is the value of the remaining tax credit.

Example: In 2007 a tax credit certificate was issued for \$2,000. In 2007 the value of the tax credit is \$2,000. If that year the taxpayer was able to claim \$500 of that credit; the value of the remaining tax credit carried over to the next tax year was \$1,500. If the tax credit was sold or transferred during 2008, the value of the tax credit would be \$1,500.

7. Provide the date of transfer.
8. Provide the selling price.

Note: The following criteria applies only to the transfer of a Pregnancy Resource Center tax credit certificate:

The tax credit must be transferred or sold...

- (1) For no less than seventy-five percent of the par value of such credit; (Par value meaning the value of the tax credit at the time of transfer); and
- (2) In an amount not to exceed one hundred percent of annual earned credit.

Example: Using the scenario in #6 above. The value of the credit being transferred is \$1,500. It can not be sold for less than 75% of that amount or no less than \$1,125. A taxpayer can not sell or transfer tax credit in any given year in an amount that exceeds 100% of the annual earned credit, which is \$1,500. Therefore, if in 2008 the taxpayer has the \$1,500 carryover and earns another \$2,000 tax credit for 2008, the taxpayer can only sell or transfer tax credits up to \$2,000. The taxpayer can not sell or transfer tax credits in excess of the annual earned credit (\$2,000) in any given year.

9. Provide the Assignor's Signature, date of signature and printed name.
10. Provide the Assignee's LEGAL name as it appears on annual income tax returns. The Assignee is the individual purchasing or receiving the tax credit (e.g. the buyer).
11. Provide the Assignee's complete address including city, state and zip code.
12. Provide the Assignee's taxpayer identification number or social security number.
13. Indicate the Assignee's Taxpayer type - place an (X) in the appropriate box and provide supporting documentation indicated if applicable.

Supporting Documentation:

Partnerships, S Corporations and LLC's please provide a list of all shareholder names; social security numbers, and percentage of ownership.



MISSOURI DEPARTMENT OF SOCIAL SERVICES
TAX CREDIT TRANSFER

Charitable organizations applying for tax credits must provide:

- proof the organization is exempt from federal income tax (copy of federal tax exemption certificate), and
- proof of business activities that are unrelated to its charitable activities of which Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, RSMo (i.e. most recent Missouri State Income Tax Return). If the unrelated business activities do not generate Missouri business taxable income, an Executive Officer of the organization must attest to the following statement:

"I certify that _____ engages in unrelated
(ORGANIZATION NAME)
business activities which do not generate Missouri unrelated business income. If these activities did generate Missouri unrelated business income, that income would be subject to the state tax imposed under chapter 143, RSMo."

SIGNATURE	TITLE	DATE
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14. Provide the Assignee's Signature, date of signature and printed name.
15. The completed tax credit transfer form must be notarized. If both the assignor and assignee can not be present at the time of the notarized endorsement, each individual may have a copy of the document notarized individually. However, both copies must be submitted to the Department of Social Services at the same time.
16. Forward the transfer form and all supporting documentation required to the following address:

Residential Treatment Agency Tax Credit Transfers:

Department of Social Services
Attention: Residential Treatment Agency Tax Credit
P.O. Box 853
Jefferson City, MO 65102-0853

Pregnancy Resource Center Tax Credit Transfers:

Department of Social Services
Attention: Pregnancy Resource Center Tax Credit
P.O. Box 863
Jefferson City, MO 65102-0863

Developmental Disability Care Provider Tax Credit Transfers:

Department of Social Services
Attention: Developmental Disability Care Provider Tax Credit
PO Box 853
Jefferson City, MO 65102-0853

AUTHORITY: section 135.1150, [RSMo Supp. 2006] **HB 1172, Second Regular Session, Ninety-sixth General Assembly, 2012.** Emergency rule filed Sept. 18, 2006, effective Oct. 1, 2006, expired March 29, 2007. Original rule filed Sept. 18, 2006, effective March 30, 2007. Amended: Filed Sept. 19, 2012.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Children's Division, Candace Shively, Director, PO Box 88, Jefferson City, MO 65103. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 35—Children's Division
Chapter 100—Tax Credits**

PROPOSED RULE

13 CSR 35-100.030 Developmental Disability Care Provider Tax Credit

PURPOSE: This rule describes the procedures for the implementation of section 135.1180, RSMo (2012), Developmental Disability Care Provider Tax Credit Program, to reflect the requirements of HB 1172 (2012).

(1) In general, a qualified developmental disability care provider may apply for tax credits on behalf of taxpayers who make donations to the provider as provided herein. Those who donate to qualifying providers are eligible to receive a tax credit up to fifty percent (50%) of their donation. Qualified developmental disability care providers that accept these donations are required to remit payments equivalent to the amount of the tax credit to the state of Missouri.

(2) Definition of terms—

(A) "Certificate," a tax credit certificate issued to a taxpayer who makes an eligible donation to a qualified developmental disability care provider as described under section 135.1180, RSMo;

(B) "Eligible donation," eligible donations may include cash, publicly traded stocks and bonds, and real estate;

(C) "Qualified developmental disability care provider"—

1. Provides assistance to persons with developmental disabilities;

2. Is accredited by one (1) or more of the following:

A. Council on Accreditation (COA); or

B. Joint Commission on Accreditation of Healthcare Organizations (JCAHO); or

C. Commission on Accreditation of Rehabilitation Facilities (CARF); or

3. Is under contract with the Department of Social Services or the Department of Mental Health to provide treatment services to persons with developmental disabilities; and

4. Receives donations. Any agency that operates more than one (1) facility or at more than one (1) location can only be eligible for the tax credit for eligible donations made to facilities or locations of the agency which are licensed and accredited;

(D) "Taxpayer," any of the following individuals or entities who make eligible donations to a qualified developmental disability care provider—

1. A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri, and subject to the state income tax imposed in Chapter 143, RSMo;

2. A corporation subject to the annual corporation franchise tax imposed in Chapter 147, RSMo;

3. An insurance company paying an annual tax on its gross premium receipts in this state;

4. Any other financial institution paying taxes to the state of Missouri or any political subdivision of the state under Chapter 148, RSMo;

5. An individual subject to the state income tax imposed in Chapter 143, RSMo; or

6. Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under Chapter 143, RSMo.

(E) "State tax liability," any tax liability due under Chapters 147, 148, or 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

(3) Beginning January 1, 2012, any taxpayer will be allowed to claim a credit against their state tax liability, as defined in subsection (2)(E) of this rule, equivalent to fifty percent (50%) of the eligible donation the taxpayer made to a qualified developmental disability care provider. The amount of the tax credit claimed may not exceed the amount of the taxpayer's state income tax liability in the tax year that the credit is being claimed.

(A) Any tax credit that cannot be claimed in the taxable year during which the contribution is made, will not be refunded, but will be allowed to be carried forward and used against the taxpayer's state tax liability for up to four (4) subsequent years.

(4) Qualified developmental disability care providers must apply for the tax credit on behalf of the taxpayers. Acceptable applications for the tax credit require—

(A) A complete and accurate application (Attachment A, included herein). Applications may also be obtained by writing to—

Department of Social Services

Attention: Developmental Disability Care Provider Tax Credit

PO Box 853

Jefferson City, MO 65102-0853;

(B) A statement attesting to the receipt of an eligible donation, which includes the following information:

1. Taxpayer type and supporting documentation, when applicable;

2. Taxpayer's name;

3. Taxpayer's identification number;

4. Amount of the eligible donation and supporting documentation, when applicable;

5. Amount of anticipated tax credit;

6. Date the donation was received by the agency; and

7. The signature of the executive director of the qualified developmental disability care provider;

(C) Payment from the qualified developmental disability care provider equal to the value of the tax credit for which the application is being submitted. Checks must be made payable to the Department of Social Services; and

(D) Verifying documentation must be attached to the tax credit application. The type of documentation required will depend on the type of donation. Required documentation includes the following:

1. Cash—legible receipt from the developmental disability care provider which indicates the name and address of the organization; name, address, and telephone number of the contributor; and amount and date the contribution was received; signature of a representative of the developmental disability care provider receiving the contribution;

2. Check—photocopy of the canceled check, front and back—if not possible then copy of the original check and a receipt from the

developmental disability care provider including the same information required of a cash donation as described in paragraph (4)(D)1. of this rule;

3. Credit card—legible transaction receipt with the name and address of the developmental disability care provider; contributor's name, address, and telephone number; amount and date the contribution was received; and signature of a representative of the developmental disability care provider receiving the contribution. Receipts should have the credit card account number blacked out;

4. Money order or cashier's check—legible copy of the original document with the name and address of the developmental disability care provider; contributor's name, address, and telephone number; amount and date the contribution was received; and signature of a representative of the developmental disability care provider receiving the contribution;

5. Values of contributed stocks and bonds must be determined by a reputable source (e.g., *Wall Street Journal*, New York Stock Exchange (NYSE), National Association of Securities Dealers Automated Quotations (NASDAQ), etc.). Information required when submitting applications for tax credit shall include the source and date the stock was valued and how the bond amount was determined;

6. The value of contributions of real estate shall be equal to the lowest of at least two (2) qualified independent appraisals for commercial, vacant, or residential property that has been determined to have a value of over twenty-five thousand dollars (\$25,000). Commercial, vacant, or residential property having a value twenty-five thousand dollars (\$25,000) or less will require only one (1) appraisal; and

7. Contributions that include a benefit to the donor—documentation required will depend on how the type of contribution was made (i.e., cash, check, etc.). The same information is required as described in paragraphs (4)(D)1.–4. of this rule. Additional information required includes the type of function or event from which the benefit was received, description of the benefit received (if an auction item, identify the item received), gross amount of the contribution, fair market value of the benefit, and how the fair market value of the benefit was determined.

(5) All applications and payments must be submitted within twelve (12) months from the date the eligible donation was received from the taxpayer. The date of submission will be determined by the date that the application and payment are postmarked. Tax credit applications submitted more than one (1) year following the date of the contribution will be void and the right to the tax credit will be forfeited.

(6) Information required in sections (4) and (5) of this rule, must be submitted to—

Department of Social Services
Attention: Developmental Disability Care Provider Tax Credit
PO Box 853
Jefferson City, MO 65102-0853.

(7) Upon receipt of the information required in subsection (4)(C), the Department of Social Services will verify with the Department of Revenue whether or not the taxpayer has any outstanding balances due from the taxpayer's prior year's state tax liability. If a balance due is outstanding, the amount of tax credit issued under this rule will be reduced by that amount.

(8) Upon verification of the information required in sections (4) through (7) of this rule, the Department of Social Services will issue a certificate to the taxpayer indicating the amount of tax credit that is approved for the application.

(A) Certificates will be mailed to the taxpayer at the address provided on the application submitted by the qualified developmental disability care provider.

(B) The Department of Social Services will not provide information regarding taxpayers' state tax liability to unauthorized individu-

als.

(C) In the event a taxpayer's tax credit is reduced as a result of delinquent taxes, a refund will not be issued to the qualified developmental disability care provider.

(9) Approved tax credit certificates will be issued within forty-five (45) days of receipt of the completed application submitted by the qualified developmental disability care provider.

(10) The owner of a developmental disability care provider tax credit certificate may assign, transfer, sell, or otherwise convey the certificate. The new owner will have the same rights as the original owner. When a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement must be submitted to the Department of Social Services within thirty (30) days of the date of the transaction. Information submitted to effectuate such a transfer must include a complete and accurate Department of Social Services Tax Credit Transfer Form (Attachment B, included herein). Forms may be obtained by writing to the address provided in subsection (4)(A) and section (6) of this rule.


**MISSOURI DEPARTMENT OF SOCIAL SERVICES
DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT APPLICATION**

ORGANIZATION NAME (RECEIVING THE DONATION)		CONTACT PERSON AND E-MAIL ADDRESS	
ADDRESS		ACCREDITING AGENCY (COA - JCAHO - CARF)	
TELEPHONE NUMBER	<input type="checkbox"/> DEPT. OF SOCIAL SERVICES CONTRACT <input type="checkbox"/> DEPT. OF MENTAL HEALTH CONTRACT CONTRACT NUMBER:		
DONOR INFORMATION (ATTACH ADDITIONAL PAGES IF NEEDED)			
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)			
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*		<input type="checkbox"/> FINANCIAL INSTITUTION <input type="checkbox"/> INSURANCE COMPANY	
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)			TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))	
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)			
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS			
<input type="checkbox"/> Cash <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*			
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)	
DATE OF DONATION		FOR OFFICIAL USE ONLY: TAX CREDIT NUMBER	
DONOR INFORMATION (ATTACH ADDITIONAL PAGES IF NEEDED)			
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)			
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*		<input type="checkbox"/> FINANCIAL INSTITUTION <input type="checkbox"/> INSURANCE COMPANY	
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)			TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))	
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)			
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS			
<input type="checkbox"/> Cash <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*			
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)	
DATE OF DONATION		FOR OFFICIAL USE ONLY: TAX CREDIT NUMBER	
DONOR TOTALS (ALL PAGES)			
TOTAL NUMBER OF CERTIFICATES REQUESTED		TOTAL AMOUNT OF CREDITS REQUESTED (ENCLOSE REMITTANCE IN THE SAME AMOUNT)	
<p>In accordance with section 135.1180 RSMo, I certify that the information provided above is true and accurate. On the dates indicated,</p> <p>_____ accepted the indicated eligible donation(s) from the above named taxpayer(s).</p> <p style="text-align: center;">(ORGANIZATION NAME)</p> <p>Donations will be used solely to provide direct care services to persons with developmental disabilities who are residents of this state. Direct care services include but are not limited to increasing the quality of care and service for persons with developmental disabilities through improved employee compensation and training. I also understand the amount of the certificate will be reduced if it is determined the taxpayer has an outstanding balance owed to the Missouri Department of Revenue (Section 135.815 RSMo).</p>			
EXECUTIVE DIRECTOR SIGNATURE			
PRINTED NAME			DATE
<p style="text-align: center;">Certificates will be mailed directly to the taxpayer. All incomplete or inaccurate applications and payments will be returned to the Developmental Disability Care Provider.</p>			
FOR OFFICIAL USE ONLY			
DSS APPROVAL		DATE PROCESSED	

TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)		<input type="checkbox"/> FINANCIAL INSTITUTION
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*		<input type="checkbox"/> INSURANCE COMPANY
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)		TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)		
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS		
<input type="checkbox"/> Cash <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*		
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)
DATE OF DONATION		FOR OFFICIAL USE ONLY: TAX CREDIT NUMBER
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)		<input type="checkbox"/> FINANCIAL INSTITUTION
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*		<input type="checkbox"/> INSURANCE COMPANY
TAXPAYER/BUSINESS NAME(S)		TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)		
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS		
<input type="checkbox"/> Cash <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*		
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)
DATE OF DONATION		FOR OFFICIAL USE ONLY: TAX CREDIT NUMBER
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)		<input type="checkbox"/> FINANCIAL INSTITUTION
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*		<input type="checkbox"/> INSURANCE COMPANY
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)		TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)		
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS		
<input type="checkbox"/> Cash <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*		
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)
DATE OF DONATION		FOR OFFICIAL USE ONLY: TAX CREDIT NUMBER
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)		<input type="checkbox"/> FINANCIAL INSTITUTION
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*		<input type="checkbox"/> INSURANCE COMPANY
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)		TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)		
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS		
<input type="checkbox"/> Cash <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*		
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)
DATE OF DONATION		FOR OFFICIAL USE ONLY: TAX CREDIT NUMBER



MISSOURI DEPARTMENT OF SOCIAL SERVICES

DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT APPLICATION**INSTRUCTIONS**

1. Provide the organization's LEGAL name; contact person; email address.
2. Provide the organization's physical address in addition to a P.O. Box (if applicable)
3. Provide the contract number listed on the contract with the Department of Social Services (DSS) or the Department of Mental Health (DMH). If the organization does not have a contract with DMH or DSS, please attach a copy of the certificate of accreditation from Council on Accreditation (COA), Joint Commission on Accreditation of Health Care Organizations (JCAHO), or Commission on Accreditation of Rehabilitation Facilities (CARF).
4. Taxpayer type - place an (X) in the appropriate box and provide supporting documentation indicated if applicable.

Supporting Documentation:

Partnerships, S Corporations and LLC's please provide a list of all shareholder names; social security numbers, and percentage of ownership.

Charitable organizations applying for tax credits under Section 135.1150, RSMo, must provide:

- proof the organization is exempt from federal income tax (copy of federal tax exemption certificate), and
- proof of business activities that are unrelated to its charitable activities of which Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, RSMo (i.e. most recent Missouri State Income Tax Return). If the unrelated business activities do not generate Missouri business taxable income, an Executive Officer of the organization must provide an attestation indicating the organization's unrelated business activities do not generate taxable business income but if there were taxable business income, that income would be subject to the state tax imposed under chapter 143, RSMo (attach the Charitable Organization Attestation Form to the application).

5. Taxpayer name should be the complete name submitted on annual income tax returns.
6. Taxpayer identification is either the tax identification number or social security number.
7. Identify the type of donation made and provide supporting documentation (if applicable).

Verifying documentation must be attached to the tax credit application. The type of documentation required will depend on the type of donation. Required documentation includes the following:

- Donations of cash, check, credit card or money order do not require verifying documentation.
- Values of publicly traded stocks and bonds must be determined by a reputable source (e.g. Wall Street Journal, NYSE, NASDAQ, etc.). Information required when submitting applications for tax credit shall include the source and date the stock was valued and how the bond amount was determined; and confirmation documentation of the transfer from the contributor's account to the qualifying residential treatment agency.
- The values of contributions of real estate shall be equal to the lowest of at least two (2) qualified independent appraisals for commercial, vacant or residential property that has been determined to have a value of over \$25,000. Commercial, vacant or residential property having a value of \$25,000 or less will require only one (1) appraisal.

8. Amount of donation is the total funds received.
9. Amount of tax credit is equal to 50% of the donation(s) received.
10. Number of certificates should be the total number of certificates requested to be issued.
11. Total amount of tax credits requested should be the total of the individual amounts submitted for each taxpayer. Submit payment to the Department of Social Services equal to this amount.
12. All applications and supporting documentation must be submitted to the Developmental Disability Care Provider for complete processing.



MISSOURI DEPARTMENT OF SOCIAL SERVICES
CHARITABLE ORGANIZATION ATTESTATION

"I certify that _____ engages in unrelated business
(ORGANIZATION NAME)
activities of which do not generate Missouri unrelated business taxable income. If these activities did generate Missouri
unrelated business taxable income, that income would be subject to the state income tax imposed under chapter 143,
RSMo."

SIGNATURE

PRINTED NAME

TITLE

DATE


MISSOURI DEPARTMENT OF SOCIAL SERVICES
TAX CREDIT TRANSFER

The Department of Social Services (DSS) tax credit transfer form must be used when transferring eligible tax credits administered by the DSS. You must submit a separate Tax Credit Transfer form for each tax credit transfer being requested. The sale or transfer of a tax credit may have income tax consequences for the assignor and assignee. Consult your tax advisor for more information.

ASSIGNOR

NAME OF ASSIGNOR	ASSIGNOR TELEPHONE NUMBER
ASSIGNOR ADDRESS	
ASSIGNOR TAXPAYER IDENTIFICATION NUMBER (SOCIAL SECURITY NUMBER)	

TRANSFER

TAX CREDIT TYPE		
<input type="checkbox"/> PREGNANCY RESOURCE CENTER TAX CREDIT	<input type="checkbox"/> RESIDENTIAL TREATMENT AGENCY TAX CREDIT	<input type="checkbox"/> DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT
APPROVED CERTIFICATE NUMBER	(OFFICE USE ONLY)	
VALUE OF TAX CREDIT (SEE INSTRUCTIONS)	DATE OF TRANSFER	TAX CREDIT SELLING PRICE (SEE INSTRUCTIONS)

CERTIFICATION

ASSIGNOR SIGNATURE	DATE
PRINTED NAME	(OFFICE USE ONLY)

ASSIGNEE

NAME OF ASSIGNEE	ASSIGNEE TELEPHONE NUMBER
ASSIGNEE ADDRESS	
ASSIGNEE TAXPAYER IDENTIFICATION NUMBER (SOCIAL SECURITY NUMBER)	

TAXPAYER TYPE (REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)

<input type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership*	<input type="checkbox"/> S Corporation*	<input type="checkbox"/> LLC*	<input type="checkbox"/> Charitable Organization*
<input type="checkbox"/> Financial Institution	<input type="checkbox"/> Insurance Company				

CERTIFICATION

ASSIGNEE SIGNATURE	DATE
PRINTED NAME	(OFFICE USE ONLY) REISSUE CERTIFICATE NUMBER
NOTARY PUBLIC EMBOSSEER SEAL	STATE OF
	COUNTY (OR CITY OF ST. LOUIS)
	NOTARY PUBLIC NAME
	MY COMMISSION EXPIRES
	NOTARY PUBLIC SIGNATURE
	USE RUBBER STAMP IN AREA BELOW

Appeared before me on this _____ day of _____, 20____,

and _____ to me personally known to be the persons who executed the above

certifications, and acknowledged and states that he/she executed the same for the purpose therein stated.



MISSOURI DEPARTMENT OF SOCIAL SERVICES
TAX CREDIT TRANSFER

Information provided below must include all individuals listed on the original tax credit certificate.

1. Provide the Assignor's LEGAL name. The Assignor is the person transferring ownership of the tax credit (e.g. the seller).
2. Provide the Assignor's complete address including city, state and zip code.
3. Provide the Assignor's taxpayer identification number or social security number.
4. Indicate the type of tax credit certificate being transferred (i.e. Pregnancy Resource Center, Developmental Disability Care Provider or Residential Treatment Agency tax credit).
5. Provide the original tax credit certificate number.

Example: In 2007 a tax credit certificate was issued for \$2,000. In 2007 the value of the tax credit is \$2,000. If that year the taxpayer was able to claim \$500 of that credit; the value of the remaining tax credit carried over to the next tax year was \$1,500. If the tax credit was sold or transferred during 2008, the value of the tax credit would be \$1,500.

7. Provide the date of transfer.
8. Provide the selling price.

Note: The following criteria applies only to the transfer of a Pregnancy Resource Center tax credit certificate:

The tax credit must be transferred or sold...

- (1) For no less than seventy-five percent of the par value of such credit; (Par value meaning the value of the tax credit at the time of transfer); and
- (2) In an amount not to exceed one hundred percent of annual earned credit.

Example: Using the scenario in #6 above. The value of the credit being transferred is \$1,500. It can not be sold for less than 75% of that amount or no less than \$1,125. A taxpayer can not sell or transfer tax credit in any given year in an amount that exceeds 100% of the annual earned credit, which is \$1,500. Therefore, if in 2008 the taxpayer has the \$1,500 carryover and earns another \$2,000 tax credit for 2008, the taxpayer can only sell or transfer tax credits up to \$2,000. The taxpayer can not sell or transfer tax credits in excess of the annual earned credit (\$2,000) in any given year.

9. Provide the Assignor's Signature, date of signature and printed name.
10. Provide the Assignee's LEGAL name as it appears on annual income tax returns. The Assignee is the individual purchasing or receiving the tax credit (e.g. the buyer).
11. Provide the Assignee's complete address including city, state and zip code.
12. Provide the Assignee's taxpayer identification number or social security number.
13. Indicate the Assignee's Taxpayer type - place an (X) in the appropriate box and provide supporting documentation indicated if applicable.

Supporting Documentation:

Partnerships, S Corporations and LLC's please provide a list of all shareholder names; social security numbers, and percentage of ownership.



MISSOURI DEPARTMENT OF SOCIAL SERVICES
TAX CREDIT TRANSFER

Charitable organizations applying for tax credits must provide:

- proof the organization is exempt from federal income tax (copy of federal tax exemption certificate), and
- proof of business activities that are unrelated to its charitable activities of which Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, RSMo (i.e. most recent Missouri State Income Tax Return). If the unrelated business activities do not generate Missouri business taxable income, an Executive Officer of the organization must attest to the following statement:

"I certify that _____ engages in unrelated
(ORGANIZATION NAME)

business activities which do not generate Missouri unrelated business income. If these activities did generate Missouri unrelated business income, that income would be subject to the state tax imposed under chapter 143, RSMo."

SIGNATURE

TITLE

DATE

14. Provide the Assignee's Signature, date of signature and printed name.
15. The completed tax credit transfer form must be notarized. If both the assignor and assignee can not be present at the time of the notarized endorsement, each individual may have a copy of the document notarized individually. However, both copies must be submitted to the Department of Social Services at the same time.
16. Forward the transfer form and all supporting documentation required to the following address:

Residential Treatment Agency Tax Credit Transfers:

Department of Social Services
Attention: Residential Treatment Agency Tax Credit
P.O. Box 853
Jefferson City, MO 65102-0853

Pregnancy Resource Center Tax Credit Transfers:

Department of Social Services
Attention: Pregnancy Resource Center Tax Credit
P.O. Box 863
Jefferson City, MO 65102-0863

Developmental Disability Care Provider Tax Credit Transfers:

Department of Social Services
Attention: Developmental Disability Care Provider Tax Credit
PO Box 853
Jefferson City, MO 65102-0853

AUTHORITY: section 135.1180, HB 1172, Second Regular Session, Ninety-sixth General Assembly, 2012. Original rule filed Sept. 19, 2012.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Children's Division, Candace Shively, Director, PO Box 88, Jefferson City, MO 65103. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2263—State Committee for Social Workers
Chapter 1—General Rules**

PROPOSED RULE

**20 CSR 2263-1.040 School Social Worker Examinations Approved
by the Committee**

PURPOSE: This rule establishes the school social worker examination(s) approved by the committee for the school social work program verification and acknowledgment of completion to be issued by Missouri colleges and universities and by the committee as authorized in section 173.1400 of Senate Bill 563 (2012).

(1) School social worker examination(s) approved by the committee for the purposes of sections 173.1400 and 337.647.2., RSMo, include:

(A) The Educational Testing Service Praxis series exam #0211 School Social Worker: Content Knowledge.

AUTHORITY: sections 173.1400.1.(2) and 337.647.2.(2) and .3., SB 563 and HB 1563, Second Regular Session, Ninety-sixth General Assembly, 2012, and 337.627.1.(8), RSMo Supp. 2011. Emergency rule filed Sept. 18, 2012, effective Sept. 28, 2012, expires March 26, 2013. Original rule filed Sept. 18, 2012.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately fourteen dollars (\$14) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately two dollars (\$2) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the State Committee for Social Workers, PO Box 1335, Jefferson City, MO 65102-1335, by facsimile at (573) 526-3489, or by email at lcsww@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2263 - State Committee for Social Workers

Chapter 1 - General Rules

Proposed Rule - 20 CSR 2263-1.040 School Social Worker Exams Approved by the Committee

Prepared September 18, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance	
State Committee for Social Workers		\$14.05
		to
		\$14.43
	Annual Cost of Compliance for the Life of the Rule	\$14.05 to \$14.43

III. WORKSHEET

The committee office staff will need to receive and process the application by verifying that the right criteria have been met before issuing the document.

Processing Technician II - provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER LICENSEE	COST PER APPLICATION	NUMBER OF ITEMS	TOTAL COST
Processing Technician II	\$25,068	\$37,710	\$18.13	\$0.30	5 minutes	\$1.51	5 applicants	\$7.55
	to \$26,316	to \$39,587	to \$19.03	to \$0.32		to \$1.59		to \$7.93
						Total Personal Service Costs		\$7.55 to \$7.93

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Correspondence Mailing	\$0.65	10	\$6.50
Total Expense and Equipment Costs			\$6.50

IV. ASSUMPTIONS

1. Employee's salaries were calculated using the annual salary multiplied by 50.43% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of the specified item. The total cost was based on the cost per item multiplied by the estimated number of items.
2. The board assumes that it will send at least two correspondence mailings to individuals requesting the school social work program verification and acknowledgment of completion.
3. It is anticipated that the total costs will recur annually for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2263 - State Committee for Social Workers****Chapter 1 - General Rules****Proposed Rule - 20 CSR 2263-1.040 School Social Worker Exams Approved by the Committee****Prepared September 18, 2012 by the Division of Professional Registration****II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
5	Social Workers Applying for (Postage @ \$0.45)	\$2.25
	Estimated Annual Cost of Compliance for the Life of the Rule	\$2.25

III. WORKSHEET

See Table Above

IV. ASSUMPTIONS

1. The figures reported above are based on FY2012 actuals.
2. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

PROPOSED RULE

20 CSR 2270-2.072 Temporary Courtesy License

PURPOSE: This rule states the requirements and procedures for a nonresident spouse of an active duty member of the military who is transferred to this state in the course of the member's military duty to obtain a temporary courtesy license to practice veterinary medicine for one hundred eighty (180) days.

(1) The board shall grant a temporary courtesy license to practice veterinary medicine without examination to a "nonresident military spouse" as defined in section 324.008.1., RSMo, who provides proof that such applicant's qualifications meet or are at least equivalent to the requirements for initial licensure in this state and who provides the board the following:

(A) A completed application form;

(B) A non-refundable application fee, as established by the board pursuant to rule, made payable to the board;

(C) Verification sent directly to the board from the state, district, or territory from where the applicant holds a current and active license verifying that the applicant holds a current and active license;

(D) Proof that the applicant has been engaged in active practice in the state, district, or territory of the United States in which the applicant is currently licensed for at least two (2) years in the five (5) years immediately preceding this application;

(E) Verification sent directly to the board from the state, district, or territory of the United States in which the applicant was initially licensed verifying that—

1. The applicant is, or was at the time of licensure, in good standing;

2. The applicant has not committed an act in any jurisdiction that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice at the time the act was committed; and

3. The applicant has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding by a licensing or credentialing entity in another jurisdiction;

(F) If the board is unable to determine if the licensing requirements of the state, district, or territory in which the applicant was initially licensed are equivalent to Missouri's licensing requirements, the applicant shall submit documentation regarding the licensing requirements equivalency;

(G) Any person applying for temporary licensure as a veterinarian, shall be required to take and pass the State Board Examination related to the practice of veterinary medicine; and

(H) Such additional information as the board may request to determine eligibility for a temporary courtesy license.

AUTHORITY: section 324.008.1., RSMo Supp. 2011. Original rule filed Sept. 18, 2012.

PUBLIC COST: This proposed rule will increase the fund for the Missouri Veterinary Medical Board by approximately twenty-two dollars (\$22) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities approximately thirty-five dollars and forty-five cents (\$35.45) annually for

the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102, via facsimile at (573) 526-3856, or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	NUMBER OF ITEMS	TOTAL COST
Processing Technician II	\$24,579	\$36,974	\$17.78	\$0.30	5 minutes	\$1.48	1	\$1.48
	\$26,640	\$40,075	\$19.27	\$0.32			\$1.61	
					Total Personal Service Costs During the First Year of Implementation:			\$1.48 to \$1.61

Expense and Equipment

Item	Cost	Quantity	Total Cost Per Item
Correspondence Mailing	\$0.65	1	\$0.65
License Printing and Postage	\$0.72	1	\$0.72
Total Expense and Equipment Costs			\$1.37

IV. ASSUMPTIONS.

1. Employees' salaries were calculated using the annual salary multiplied by 50.43% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the office, which includes personal service, expense and equipment and transfers.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 -Department of Insurance, Financial Institutions and Professional Registration****Division 2270 - Missouri Veterinary Medical Board****Chapter 2 - Licensure Requirements for Veterinarians****Proposed Amendment to 20 CSR 2270 - 2.072 Temporary Courtesy License**

Prepared September 18, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
1	Temporary Courtesy License Application Fee (Temporary License Fee @ \$25)	\$25
1	Verification Fee (Verification Fee @ \$10)	\$10
1	Application Postage (Postage @ \$0.45)	\$0.45
Estimated Annual Cost of the Amendment for the Life of the Rule		\$35.45

III. WORKSHEET

See Table Above

IV. ASSUMPTIONS

1. The board anticipates that there will be very few nonresident military spouse temporary courtesy license applicants. It is estimated that the board will have approximately one applicant annually that chooses to apply through this route. The board believes that most applicants will opt to file an application for a provisional and a full license.
2. Most states have eliminated the verification fee, however, the \$10 amount is an average verification fee charged by the remaining states.
3. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee. expected to increase at the rate projected by the Legislative Oversight Committee.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 340, RSMo. Pursuant to section 340.210, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 340, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 340, RSMo.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 2—Health Requirements for Movement of
Livestock, Poultry, and Exotic Animals**

ORDER OF RULEMAKING

By the authority vested in the director of agriculture under section 267.645, RSMo 2000, the director withdraws a rule as follows:

**2 CSR 30-2.020 Movement of Livestock, Poultry, and Exotic
Animals Within Missouri is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2012 (37 MoReg 907-908). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The director received numerous comments on this proposed amendment. Most of the comments were against the changes. The comments emphasized the concern on disease testing and the cost to the deer industry.

RESPONSE: As a result, the director is withdrawing this rulemaking.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 5—Inspections**

ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939,

RSMo 2000, the board amends a rule as follows:

2 CSR 80-5.010 Inspection Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2012 (37 MoReg 1089). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 500—Office of Adult Learning and
Rehabilitation Services**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092 and 167.031, RSMo Supp. 2011, and sections 161.093 and 161.095, RSMo 2000, the board amends a rule as follows:

**5 CSR 20-500.330 Administration of High School Equivalence
Program is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2012 (37 MoReg 908-911). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 30—Division of Financial and Administrative
Services
Chapter 261—School Transportation**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under section 161.092, RSMo Supp. 2011, and section 304.060, RSMo 2000, the board amends a rule as follows:

**5 CSR 30-261.025 Minimum Requirements for School Bus
Chassis and Body is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2012 (37 MoReg 912). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2011, the commission amends a rule as follows:

10 CSR 10-5.381 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2012 (37 MoReg 955-966). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the U.S. Environmental Protection Agency (EPA) on this rule amendment.

COMMENT #1: EPA recommended revising the last sentence of the purpose statement for further clarification.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, the last sentence of the purpose statement has been revised providing a more clear and concise statement.

10 CSR 10-5.381 On-Board Diagnostics Motor Vehicle Emissions Inspection

PURPOSE: This rule enacts the provisions of 643.300-643.355, RSMo, and meets the 1990 Federal Clean Air Act Amendments requirement that the ozone state implementation plan contains necessary enforceable measures to maintain the mandatory vehicle emissions inspection and maintenance program. The purpose of the inspection and maintenance program is to reduce vehicle emissions in the St. Louis nonattainment area.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2011, the commission amends a rule as follows:

10 CSR 10-6.070 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2012 (37 MoReg 966-968). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the U.S. Environmental Protection Agency (EPA).

COMMENT #1: EPA commented on paragraph (1)(B)5. that

exempts any provisions of 40 CFR 60 that are stayed. They believe this proposed language may create confusion and cause additional concerns or issues because it is not clear how this rule language might apply prospectively to situations in which particular provisions of 40 CFR Parts 60 are stayed. In addition, EPA notes that this language may function as a delegation of state authority to EPA or federal courts in litigation to which the department is not a party.

RESPONSE AND EXPLANATION OF CHANGE: The proposed language in paragraph (1)(B)5. was intended to clarify that Missouri does not intend to enforce provisions of 40 CFR 60 that are currently part of the *Code of Federal Regulations*, but have been stayed for any reason, and address confusion over federal regulations being promulgated and subsequently stayed by legal action. This assurance is also provided by 643.055, RSMo, which prevents the state from being sooner or stricter than federal regulations and effectively prevents Missouri from enforcing provisions of incorporated federal regulations that are not enforceable on a federal level. Therefore, paragraph (1)(B)5. has been removed to address EPA's concerns regarding the proposed exemption. Nonetheless, regulated sources are assured they will not be expected to comply with provisions of incorporated federal regulations that are stayed.

10 CSR 10-6.070 New Source Performance Regulations

(1) Applicability.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. Sections 60.4, 60.9, and 60.10 of subpart A;
2. Subpart B in its entirety;
3. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA); and
4. Incinerators which are subject to Hazardous Waste Management Commission rule 40 CFR 264, subpart O, as incorporated in 10 CSR 25-7.264, shall not be subjected to the requirements of this rule. The exemptions granted under 40 CFR 264.340(b), as incorporated in 10 CSR 25-7.264, are subject to this rule. All other applicable requirements of this chapter shall remain in effect as to the incinerators.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2011, the commission amends a rule as follows:

10 CSR 10-6.075 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2012 (37 MoReg 968-971). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the U.S. Environmental Protection Agency (EPA).

COMMENT #1: EPA commented on paragraph (1)(B)3. that exempts any provisions of 40 CFR 63 that are stayed. They believe this proposed language may create confusion and cause additional concerns or issues because it is not clear how this rule language might apply prospectively to situations in which particular provisions

of 40 CFR Parts 63 are stayed. In addition, EPA notes that this language may function as a delegation of state authority to EPA or federal courts in litigation to which the department is not a party. **RESPONSE AND EXPLANATION OF CHANGE:** The proposed language in paragraph (1)(B)3. was intended to clarify that Missouri does not intend to enforce provisions of 40 CFR 63 that are currently part of the *Code of Federal Regulations*, but have been stayed for any reason, and address confusion over federal regulations being promulgated and subsequently stayed by legal action. This assurance is also provided by 643.055, RSMo, which prevents the state from being sooner or stricter than federal regulations and effectively prevents Missouri from enforcing provisions of incorporated federal regulations that are not enforceable on a federal level. Therefore, paragraph (1)(B)3. has been removed to address EPA's concerns regarding the proposed exemption. Nonetheless, regulated sources are assured they will not be expected to comply with provisions of incorporated federal regulations that are stayed.

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations

(1) Applicability.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. Sections 63.13 and 63.15(a)(2) of subpart A; and
2. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA).

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2011, the commission amends a rule as follows:

10 CSR 10-6.080 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2012 (37 MoReg 971). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received one (1) comment from the U.S. Environmental Protection Agency (EPA).

COMMENT #1: EPA commented on paragraph (1)(B)4. that exempts any provisions of 40 CFR 61 that are stayed. They believe this proposed language may create confusion and cause additional concerns or issues because it is not clear how this rule language might apply prospectively to situations in which particular provisions of 40 CFR Parts 61 are stayed. In addition, EPA notes that this language may function as a delegation of state authority to EPA or federal courts in litigation to which the department is not a party. **RESPONSE AND EXPLANATION OF CHANGE:** The proposed language in paragraph (1)(B)4. was intended to clarify that Missouri does not intend to enforce provisions of 40 CFR 61 that are currently part of the *Code of Federal Regulations*, but have been stayed for any reason, and address confusion over federal regulations being promulgated and subsequently stayed by legal action. This assurance is also provided by 643.055, RSMo, which prevents the state from being sooner or stricter than federal regulations and effectively prevents Missouri from enforcing provisions of incorporated federal reg-

ulations that are not enforceable on a federal level. Therefore, paragraph (1)(B)4. has been removed to address EPA's concerns regarding the proposed exemption. Nonetheless, regulated sources are assured they will not be expected to comply with provisions of incorporated federal regulations that are stayed.

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants

(1) Applicability.

(B) Exceptions to subsection (1)(A) of this rule are as follows:

1. Sections 61.04, 61.16, and 61.17 of subpart A;
2. Subparts B, H, I, K, Q, R, T, and W in their entirety; and
3. Those provisions which are not delegable by the United States Environmental Protection Agency (EPA).

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo Supp. 2011, the commission amends a rule as follows:

**11 CSR 45-9.020 Objectives of an Internal Control System
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 1, 2012 (37 MoReg 912). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on July 11, 2012. No one commented at the public hearing, and no written comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 25—State Public Health Laboratory
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva, and Urine Analysis; and Determination
for the Presence of Drugs in Blood, Saliva, and Urine**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

**19 CSR 25-30.011 General Provisions for the Determination of
Blood, Breath, Saliva, or Urine Analysis and Drug Testing
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1009–1010). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES****Division 25—State Public Health Laboratory
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva, and Urine Analysis; and Determination
for the Presence of Drugs in Blood, Saliva, and Urine****ORDER OF RULEMAKING**

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 577.020 and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.021 Type I Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1010-1014). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on the proposed amendment.

COMMENT #1: Ronald Peer, with the Palmyra Police Department, and Don DeBoard, with the University of Central Missouri, requested the department remove the Social Security number requirement on the permit applications.

RESPONSE: Section 324.024, RSMo, requires that all applications for a license or permit issued by the state of Missouri include the applicant's Social Security number. The applicant's Social Security number will not be disclosed by the department except as provided in section 610.035, RSMo. No changes have been made to the rule as a result of this comment.

COMMENT #2: Don DeBoard, with the University of Central Missouri, requested the department remove the "Renewal" box on the permit applications.

RESPONSE: Due to new wording in other sections of the permit application, there is in fact now a distinction between "New" and "Renewal" applications that did not exist previously. No changes have been made to the rule as a result of this comment.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES****Division 25—State Public Health Laboratory
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva, and Urine Analysis; and Determination
for the Presence of Drugs in Blood, Saliva, and Urine****ORDER OF RULEMAKING**

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.031 Type II Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1015-1024). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received three (3) comments on the proposed amendment.

COMMENT #1: Ronald Peer, with the Palmyra Police Department; Don DeBoard, with the University of Central Missouri; and Tracey Durbin, with the University of Central Missouri, requested the department remove the Social Security number requirement on the permit applications.

RESPONSE: Section 324.024, RSMo, requires that all applications for a license or permit issued by the state of Missouri include the applicant's Social Security number. The applicant's Social Security number will not be disclosed by the department except as provided in section 610.035, RSMo. No changes have been made to the rule as a result of this comment.

COMMENT #2: Don DeBoard, with the University of Central Missouri, and Tracey Durbin, with the University of Central Missouri, requested the department remove the "Renewal" box on the permit applications.

RESPONSE: Due to new wording in other sections of the permit application, there is in fact now a distinction between "New" and "Renewal" applications that did not exist previously. No changes have been made to the rule as a result of this comment.

COMMENT #3: Tracey Durbin, with the University of Central Missouri, requested that the department move the "PRINTER WORKING PROPERLY" box on the Alco-Sensor IV with printer Maintenance Report, as this test is not performed until the printer is printing the results of the accuracy check.

RESPONSE: While we understand the desire for a form with a sequentially accurate order, the order as established on the Alco-Sensor IV with printer Maintenance Report form is based on functionality rather than sequence. The printer working properly is considered to be a basic operational requirement, and as such the check box for this is grouped with the other checks of basic operational requirements that do not require a separate evidential ticket, such as the radio frequency interference (RFI) check. 19 CSR 25-30.031 does not require that the steps are completed sequentially; only that the report is completed. Furthermore, the language on the form stating "Unmarked items must be corrected before using instrument" applies to the use of the instrument for evidential analysis and not as a prohibition on completing the maintenance report.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES****Division 25—State Public Health Laboratory
Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva, and Urine Analysis; and Determination
for the Presence of Drugs in Blood, Saliva, and Urine****ORDER OF RULEMAKING**

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.041 Type III Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1024-1027). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on the proposed amendment.

COMMENT #1: Ronald Peer, with the Palmyra Police Department; Don DeBoard, with the University of Central Missouri; and Tracey Durbin, with the University of Central Missouri, requested the department remove the Social Security number requirement on the permit applications.

RESPONSE: Section 324.024, RSMo, requires that all applications for a license or permit issued by the state of Missouri include the applicant's Social Security number. The applicant's Social Security number will not be disclosed by the department except as provided in section 610.035, RSMo. No changes have been made to the rule as a result of this comment.

COMMENT #2: Don DeBoard, with the University of Central Missouri, and Tracey Durbin, with the University of Central Missouri, requested the department remove the "Renewal" box on the permit applications.

RESPONSE: Due to new wording in other sections of the permit application, there is in fact now a distinction between "New" and "Renewal" applications that did not exist previously. No changes have been made to the rule as a result of this comment.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 25—State Public Health Laboratory Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva, and Urine Analysis; and Determination for the Presence of Drugs in Blood, Saliva, and Urine

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.050 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1027). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received three (3) comments on the proposed amendment.

COMMENTS #1, #2, and #3: Dwight Scroggins, Buchanan County Prosecutor; Susan Glass, with the Missouri Office of Prosecution Services; and Tracey Durbin, with the University of Central Missouri, requested that we remove the word "specifically" from the language in 19 CSR 25-30.050(2) due to the inevitable challenges in court since there is no given definition for what constitutes "vehicles specifically used for driving-while-intoxicated enforcement."

RESPONSE AND EXPLANATION OF CHANGE: Staff concurs and has deleted the word "specifically" in section (2) from the rule.

19 CSR 25-30.050 Approved Breath Analyzers

(2) Breath analyzers are to be used within buildings or vehicles used for driving-while-intoxicated enforcement. These breath analyzers are not approved for mobile use in boats or in outside areas.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 25—State Public Health Laboratory Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva, and Urine Analysis; and Determination for the Presence of Drugs in Blood, Saliva, and Urine

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 577.020 and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.051 Breath Analyzer Calibration and Accuracy Verification Standards is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1027-1029). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 25—State Public Health Laboratory Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva, and Urine Analysis; and Determination for the Presence of Drugs in Blood, Saliva, and Urine

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.060 Operating Procedures for Breath Analyzers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1030-1039). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES

Division 25—State Public Health Laboratory Chapter 30—Determination of Blood Alcohol by Blood, Breath, Saliva, and Urine Analysis; and Determination for the Presence of Drugs in Blood, Saliva, and Urine

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and

sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.070 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1040). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on the proposed amendment.

COMMENTS #1 and #2: Dwight Scroggins, Buchanan County Prosecutor, and Susan Glass, with the Missouri Office of Prosecution Services, requested that we remove or change the language specifying an exact temperature at which to store urine specimens due to potential challenges in court.

RESPONSE AND EXPLANATION OF CHANGE: Subsection (1)(B) will be changed to clarify the requirement without putting an undue burden on law enforcement and prosecutors.

19 CSR 25-30.070 Approval of Methods for the Determination of Blood Alcohol Content From Samples of Blood, Saliva, or Urine

(1) Samples of blood, saliva, or urine shall be collected in accordance with the provisions of sections 577.029, and 306.111–306.119, RSMo, and a sufficient volume of sample shall be collected to provide for duplicate testing.

(B) Urine specimens shall be collected in clean, dry containers. If a preservative, such as sodium fluoride, is employed, a comment stating the type and amount of preservative used should accompany the specimen. Specimens shall be refrigerated or frozen if not tested within one (1) day of collection.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

Division 25—State Public Health Laboratory

**Chapter 30—Determination of Blood Alcohol by Blood,
Breath, Saliva, and Urine Analysis; and Determination
for the Presence of Drugs in Blood, Saliva, and Urine**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under sections 192.006 and 577.026, RSMo 2000, and sections 306.114, 306.117, 577.020, and 577.037, RSMo Supp. 2011, the department amends a rule as follows:

19 CSR 25-30.080 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 2, 2012 (37 MoReg 1040–1041). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department of Health and Senior Services received two (2) comments on the proposed amendment.

COMMENTS #1 and #2: Dwight Scroggins, Buchanan County Prosecutor, and Susan Glass, with the Missouri Office of Prosecution Services, requested that we remove or change the language specifying

an exact temperature at which to store urine specimens due to potential challenges in court.

RESPONSE AND EXPLANATION OF CHANGE: Subsection (1)(B) will be changed to clarify the requirement without putting an undue burden on law enforcement and prosecutors.

19 CSR 25-30.080 Approval of Methods for the Analysis of Blood, Saliva, and Urine for the Presence of Drugs

(1) Samples of blood, saliva, or urine shall be collected in accordance with the provisions of sections 577.029, and 306.111–306.119, RSMo, and a sufficient volume of sample shall be collected to provide for duplicate testing.

(B) Urine specimens shall be collected in clean, dry containers. If a preservative, such as sodium fluoride, is employed, a comment stating the type and amount of preservative used should accompany the specimen. Specimens shall be refrigerated or frozen if not tested within one (1) day of collection.

**STATUTORY LIST OF CONTRACTORS
BARRED FROM PUBLIC WORKS PROJECTS**

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. In addition, this list includes contractor(s) that have agreed to placement on the list maintained by the Secretary of State pursuant to Section 290.330 as a part of the resolution of criminal charges of violating the Missouri Prevailing Wage Law. Under this statute, no public body shall award a contract for public works to any contractor or subcontractor, or simulation thereof, during the time that such contractor or subcontractor's name appears on this state debarment list maintained by the Secretary of State.

Contractors Convicted of Violations of the Missouri Prevailing Wage Law

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Rycoblake Corp. Case No. 0916-CR03145 (Jackson County Cir. Ct.)		4212 SE Saddlebrook Cir Lee's Summit, MO 64082	7/13/11	7/13/11 to 7/13/12

Contractors Agreeing to Placement on the Public Works Debarment List as Part of an Agreement Relating to Criminal Pleas

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Rycoblake Corp.		4212 SE Saddlebrook Cir Lee's Summit, MO 64082		7/13/11 to 12/1/12
Gerald Chevalier		4212 SE Saddlebrook Cir Lee's Summit, MO 64082		7/13/11 to 12/1/12

Dated this 2 day of August 2011.


Carla Busch, Director

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Larry G. McElroy, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Larry G. McElroy including Blackhawk or (3) to any other simulation of Mr. Larry G. McElroy or of Blackhawk Electric for a period of one year, or until December 27, 2012.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Larry G. McElroy DBA Blackhawk Electric Case No. 11CG-CR01157 Cape Girardeau County Cir. Ct.		254 E. Lake Dr., PO Box 248 Cape Girardeau, MO 63701	12/27/2011	12/27/2011-12/27/2012

Dated this 26 day of January, 2012.


 Carla Buschjost, Director

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to Mr. Norman Bass, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. Norman Bass including Municipal Construction Incorporated or (3) to any other simulation of Mr. Norman Bass or of Municipal Construction Incorporated for a period of one year, or until February 1, 2013.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Norman Bass DBA Municipal Construction Incorporated Case No. 12SO-CR00103 Scott County Cir. Ct.		10150 Hawthorne Ridge Goodrich, MI 48438	2/01/12	2/01/2012-2/01/2013

Dated this 17 day of February, 2012.


Carla Buschjost, Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

Notice of Dissolution of

Advanced Systems and Security, LLC.

On September 25, 2012, Advanced Systems and Security LLC. has filed a notice of dissolution with the Missouri Secretary of State. The effective date of dissolution is the same as being September 25, 2012.

All requests of claims or information should be sent to:

Joe Willcockson
PO Box 21
Walnut Grove MO 65770

All claims must include: Name and address of the claimant,,, amount of claim,,, basis for such claim,,,,, date of claim was arrived,,, and any documentation supporting such claim.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST

On September 21, 2012, Sachs Management, LLC, a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Julie T. Brown, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				35 MoReg 1815
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.020	Animal Health		37 MoReg 907	This IssueW	
2 CSR 70-10.025	Plant Industries		37 MoReg 1141		
2 CSR 70-10.075	Plant Industries		37 MoReg 1141		
2 CSR 80-3.010	State Milk Board		37 MoReg 1296		
2 CSR 80-3.020	State Milk Board		37 MoReg 1296		
2 CSR 80-3.030	State Milk Board		37 MoReg 1297		
2 CSR 80-3.040	State Milk Board		37 MoReg 1297		
2 CSR 80-3.050	State Milk Board		37 MoReg 1297		
2 CSR 80-3.060	State Milk Board		37 MoReg 1298		
2 CSR 80-3.070	State Milk Board		37 MoReg 1298		
2 CSR 80-3.080	State Milk Board		37 MoReg 1300		
2 CSR 80-3.090	State Milk Board		37 MoReg 1300		
2 CSR 80-3.100	State Milk Board		37 MoReg 1301		
2 CSR 80-3.110	State Milk Board		37 MoReg 1301		
2 CSR 80-3.120	State Milk Board		37 MoReg 1301		
2 CSR 80-3.130	State Milk Board		37 MoReg 1302		
2 CSR 80-5.010	State Milk Board		37 MoReg 1089	This Issue	
2 CSR 80-6.011	State Milk Board		37 MoReg 1302		
2 CSR 80-6.021	State Milk Board		37 MoReg 1303		
2 CSR 80-6.041	State Milk Board		37 MoReg 1303		
2 CSR 90-10	Weights and Measures				37 MoReg 1197
2 CSR 90-10.001	Weights and Measures		37 MoReg 1143		
2 CSR 90-10.011	Weights and Measures		37 MoReg 1143		
2 CSR 90-10.012	Weights and Measures		37 MoReg 1144		
2 CSR 90-10.013	Weights and Measures		37 MoReg 1144		
2 CSR 90-10.014	Weights and Measures		37 MoReg 1145		
2 CSR 90-10.020	Weights and Measures		37 MoReg 1148		
2 CSR 90-10.040	Weights and Measures		37 MoReg 1148		
2 CSR 90-10.090	Weights and Measures		37 MoReg 1148		
2 CSR 90-10.120	Weights and Measures		37 MoReg 1149		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.110	Conservation Commission		37 MoReg 1005	37 MoReg 1404	
3 CSR 10-4.117	Conservation Commission		This Issue		
3 CSR 10-5.205	Conservation Commission		This Issue		
3 CSR 10-5.222	Conservation Commission		37 MoReg 1005	37 MoReg 1404	
3 CSR 10-6.415	Conservation Commission		This Issue		
3 CSR 10-6.545	Conservation Commission		This Issue		
3 CSR 10-7.431	Conservation Commission		37 MoReg 1006	37 MoReg 1404	
3 CSR 10-7.433	Conservation Commission		37 MoReg 1149	37 MoReg 1486	
3 CSR 10-7.440	Conservation Commission		N.A.	37 MoReg 1486	
3 CSR 10-7.455	Conservation Commission		37 MoReg 1006	37 MoReg 1404	37 MoReg 118
3 CSR 10-8.510	Conservation Commission		37 MoReg 1393		
3 CSR 10-9.110	Conservation Commission		This Issue		
3 CSR 10-9.350	Conservation Commission		37 MoReg 1449		
3 CSR 10-9.560	Conservation Commission		37 MoReg 1449		
3 CSR 10-11.180	Conservation Commission		This Issue		
3 CSR 10-11.200	Conservation Commission		This Issue		
3 CSR 10-11.205	Conservation Commission		This Issue		
3 CSR 10-11.210	Conservation Commission		This Issue		
3 CSR 10-11.215	Conservation Commission		This Issue		
3 CSR 10-12.110	Conservation Commission		This Issue		
3 CSR 10-12.115	Conservation Commission		This Issue		
3 CSR 10-12.125	Conservation Commission		This Issue		
3 CSR 10-12.140	Conservation Commission		This Issue		
3 CSR 10-12.145	Conservation Commission		This Issue		
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 240-31.010	Public Service Commission	37 MoReg 1003	37 MoReg 1007		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-100.255	Division of Learning Services		This Issue		
5 CSR 20-400.150	Division of Learning Services		37 MoReg 509	37 MoReg 1359	
5 CSR 20-400.160	Division of Learning Services		37 MoReg 509	37 MoReg 1359	
5 CSR 20-400.170	Division of Learning Services		37 MoReg 510	37 MoReg 1359	
5 CSR 20-400.180	Division of Learning Services		37 MoReg 510	37 MoReg 1359	
5 CSR 20-400.190	Division of Learning Services		37 MoReg 511	37 MoReg 1360	
5 CSR 20-400.200	Division of Learning Services		37 MoReg 511	37 MoReg 1360	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 20-400.250	Division of Learning Services		37 MoReg 511	37 MoReg 1360	
5 CSR 20-400.260	Division of Learning Services		37 MoReg 512	37 MoReg 1360	
5 CSR 20-400.280	Division of Learning Services		37 MoReg 512	37 MoReg 1360	
5 CSR 20-400.310	Division of Learning Services		37 MoReg 1450		
5 CSR 20-400.340	Division of Learning Services		37 MoReg 1453R		
5 CSR 20-400.350	Division of Learning Services		37 MoReg 1453R		
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5 CSR 20-500.330	Division of Learning Services		37 MoReg 908	This Issue	
5 CSR 20-600.130	Division of Learning Services		37 MoReg 1457		
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11 CSR 80-3.010	Missouri State Water Patrol (Changed to 11 CSR 50-3.030)		37 MoReg 1468		
11 CSR 80-4.010	Missouri State Water Patrol (Changed to 11 CSR 50-3.040)		37 MoReg 1468		
11 CSR 80-5.010	Missouri State Water Patrol (Changed to 11 CSR 50-3.060)		37 MoReg 1469		
11 CSR 80-6.010	Missouri State Water Patrol (Changed to 11 CSR 50-3.070)		37 MoReg 1470		
11 CSR 80-7.010	Missouri State Water Patrol (Changed to 11 CSR 50-3.050)		37 MoReg 1468		
11 CSR 80-8.010	Missouri State Water Patrol (Changed to 11 CSR 50-3.080)		37 MoReg 1471		
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13 CSR 70-15.010	MO HealthNet Division	37 MoReg 1131	37 MoReg 1172		
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17 CSR 20-3.025	St. Louis Board of Police Commissioners		37 MoReg 922	37 MoReg 1409	

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17 CSR 20-3.085	St. Louis Board of Police Commissioners		37 MoReg 923	37 MoReg 1409	
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19 CSR 25-30.050	State Public Health Laboratory		37 MoReg 1027	This Issue	
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19 CSR 25-30.060	State Public Health Laboratory		37 MoReg 1030	This Issue	
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19 CSR 30-85.022	Division of Regulation and Licensure		37 MoReg 585	37 MoReg 1410	
19 CSR 30-86.022	Division of Regulation and Licensure		37 MoReg 592	37 MoReg 1411	37 MoReg 1538
19 CSR 30-88.020	Division of Regulation and Licensure		37 MoReg 602	37 MoReg 1413	
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20 CSR	Applied Behavior Analysis Maximum Benefit				37 MoReg 472
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20 CSR 1100-2.085	Division of Credit Unions		37 MoReg 972	37 MoReg 1492	
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20 CSR 2030-4.055	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		37 MoReg 1307		
20 CSR 2030-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		37 MoReg 1312		
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20 CSR 2250-2.040	Missouri Real Estate Commission		37 MoReg 1358		
20 CSR 2263-1.040	State Committee for Social Workers	This Issue	This Issue		
20 CSR 2270-2.072	Missouri Veterinary Medical Board		This Issue		
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22 CSR 10-2.094	Health Care Plan	37 MoReg 1440	37 MoReg 1474		
22 CSR 10-2.110	Health Care Plan	37 MoReg 1441	37 MoReg 1477		
22 CSR 10-2.120	Health Care Plan	37 MoReg 1446	37 MoReg 1484		

Emergency Rule Table

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Plant Industries			
2 CSR 70-11.070	Pine Shoot Beetle Intrastate Quarantine	Next Issue	Oct. 12, 2012April 9, 2013
Department of Economic Development			
Public Service Commission			
4 CSR 240-31.010	Definitions . . . . .	.37 MoReg 1003	June 1, 2012Feb. 28, 2013
Department of Public Safety			
Missouri State Highway Patrol			
11 CSR 50-3.100	Nonresident Temporary Boater Identification Certificate . .	.37 MoReg 1439	Sept. 14, 2012March 12, 2013
Department of Social Services			
MO HealthNet Division			
13 CSR 70-10.110	Nursing Facility Reimbursement Allowance . . . . .	.37 MoReg 1131	July 1, 2012Dec. 28, 2012
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology . . . . .	.37 MoReg 1131	July 1, 2012Dec. 28, 2012
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	.37 MoReg 1132	July 1, 2012Dec. 28, 2012
13 CSR 70-15.160	Prospective Outpatient Hospital Services Reimbursement Methodology . . . . .	.37 MoReg 1134	July 1, 2012Dec. 28, 2012
13 CSR 70-15.220	Disproportionate Share Hospital Payments . . . . .	.37 MoReg 1135	July 1, 2012Dec. 28, 2012
Elected Officials			
Treasurer			
15 CSR 50-4.030	Missouri MOST 529 Matching Grant Program . . . . .	.37 MoReg 731	April 15, 2012Jan. 23, 2013
Department of Insurance, Financial Institutions and Professional Registration			
Missouri Dental Board			
20 CSR 2110-2.170	Fees . . . . .	.37 MoReg 1291	Aug. 5, 2012Feb. 28, 2013
State Board of Pharmacy			
20 CSR 2220-4.010	General Fees . . . . .	.37 MoReg 1221	July 31, 2012Feb. 28, 2013
State Committee for Social Workers			
20 CSR 2263-1.040	School Social Worker Examinations Approved by the Committee . . . . .	.This Issue	Sept. 28, 2012March 26, 2013
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations . . . . .	.37 MoReg 1440	Oct. 1, 2012March 29, 2013
22 CSR 10-2.110	General Foster Parent Membership Provisions . . . . .	.37 MoReg 1441	Oct. 1, 2012March 29, 2013
22 CSR 10-2.120	Wellness Program . . . . .	.37 MoReg 1446	Oct. 1, 2012March 29, 2013

**Executive
Orders****Subject Matter****Filed Date****Publication****2012**

12-09	Extends Executive Order 12-08 in order to extend the deadline for completion of approved projects under the Emergency Cost-Share Program and establishes a Program Audit and Compliance Team to inspect a sample of completed projects. It also extends Executive Order 12-07 until Nov. 15, 2012.	Sept. 10, 2012	37 MoReg 1519
12-08	Authorizes the State Soil and Water Districts Commission to implement an emergency cost-share program to address water challenges to landowners engaged in livestock or crop production due to the current drought. Additionally, it establishes the Agriculture Water Resource Technical Review Team.	July 23, 2012	37 MoReg 1294
12-07	Declares a state of emergency, directs the Missouri State Emergency Operations Plan be activated, and extends Executive Order 12-06 to Oct. 1, 2012, in response to the severe heat, dry conditions, and fire risks affecting the state.	July 23, 2012	37 MoReg 1292
12-06	Activates the Missouri State Emergency Operations Center and directs the State Emergency Management Agency, State Fire Marshall, Adjutant General, and such other agencies to coordinate with local authorities affected by fire danger due to the prolonged period of record heat and low precipitation	June 29, 2012	37 MoReg 1139
12-05	Extends Executive Orders 11-06, 12-03, 11-07, 11-11, 11-14, and 12-04 until June 1, 2012	March 13, 2012	37 MoReg 569
12-04	Activates the state militia in response to severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 503
12-03	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 501
12-02	Orders the transfer of all authority, powers, and duties of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Dept. of Health and Senior Services and the Dept. of Mental Health to the Dept. of Social Services effective Aug. 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly	Jan. 23, 2012	37 MoReg 313
12-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 23, 2012	37 MoReg 311

2011

11-25	Extends the declaration of emergency contained in Executive Order 11-06 (and extended by Executive Orders 11-09, 11-19, and 11-23) until March 15, 2012, unless extended in whole or part by subsequent order. Further Executive Orders 11-07, 11-11, and 11-14 are extended until March 15, 2012, unless extended in whole or part by subsequent order	Dec. 14, 2011	37 MoReg 95
11-24	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Nov. 18, 2011	37 MoReg 5
11-23	Extends Executive Order 11-20 until October 15, 2011, and extends Executive Orders 11-06, 11-07, 11-08, 11-11, 11-14, and 11-18 until December 18, 2011	Sept. 13, 2011	36 MoReg 2157
11-22	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	July 26, 2011	36 MoReg 1979
11-21	Authorizes the Joplin Public School system to immediately begin to retrofit, equip, and furnish various buildings to house students during the 2011-2012 school year without requiring advertisements for bids	June 17, 2011	36 MoReg 1800
11-20	Extends certain terms of Executive Order 11-12 to help Missouri citizens impacted by the Joplin tornado of April 22, 2011	June 17, 2011	36 MoReg 1798
11-19	Extends certain terms of Executive Orders 11-06, 11-07, 11-08, 11-10, 11-11, 11-13, 11-14, 11-15, 11-16, and 11-18 until September 15, 2011	June 17, 2011	36 MoReg 1796
11-18	Activates the state militia in response to flooding events occurring and threatening along the Missouri River	June 8, 2011	36 MoReg 1739
11-17	Establishes the State of Missouri Resource, Recovery & Rebuilding Center in the City of Joplin in response to a tornado that struck there on May 22, 2011	June 7, 2011	36 MoReg 1737

Executive Orders	Subject Matter	Filed Date	Publication
11-16	Authorizes the Joplin Public Schools to immediately begin to retrofit and furnish warehouse and retail structures to house district programs displaced by the tornado and severe storms on May 22, 2011, without requiring advertisements for bids	June 3, 2011	36 MoReg 1735
11-15	Authorizes the Joplin Public School system to immediately rebuild, restore, and/or renovate Emerson Elementary, Kelsey Norman Elementary, Old South Middle School, and Washington Education Center without requiring advertisement for bids	June 1, 2011	36 MoReg 1594
11-14	Activates the state militia in response to a tornado that hit the City of Joplin on May 22, 2011	May 26, 2011	36 MoReg 1592
11-13	Authorizes the Joplin Public Schools system to immediately begin rebuilding and replacing the materials for three of its buildings that were destroyed in a tornado that struck on May 22, 2011, without requiring advertisement for bids	May 26, 2011	36 MoReg 1590
11-12	Orders the director of the Department of Insurance, Financial Institutions and Professional Registration to temporarily waive, suspend, and/or modify any statute or regulation under his purview in order to best serve the interests of those citizens affected by the tornado that hit the city of Joplin on May 22, 2011	May 26, 2011	36 MoReg 1587
11-11	Orders the director of revenue to issue duplicate or replacement license, nondriver license, certificate of motor vehicle ownership, number plate, or tabs lost or destroyed as a result of the tornado that hit the city of Joplin and to waive all state fees and charges for such duplicate or replacement	May 26, 2011	36 MoReg 1585
11-10	Orders the Missouri Department of Health and Senior Services and the State Board of Pharmacy to temporarily waive certain rules and regulations to allow medical practitioners and pharmacists responding to the tornado and severe storms in Joplin to best serve the interests of public health and safety	May 24, 2011	36 MoReg 1583
11-09	Extends Executive Orders 11-06, 11-07, and 11-08 through June 20, 2011	May 20, 2011	36 MoReg 1581
11-08	Activates the state militia in response to severe weather that began on April 22	April 25, 2011	36 MoReg 1449
11-07	Gives the director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe weather that began on April 22	April 25, 2011	36 MoReg 1447
11-06	Declares a state of emergency for the state of Missouri and activates the Missouri State Emergency Operations Plan due to severe weather that began on April 22	April 22, 2011	36 MoReg 1445
11-05	Orders the Missouri Department of Transportation to assist local jurisdictions in counties that: 1) received record snowfalls; and 2) continuing snow clearance exceeds their capabilities	Feb. 4, 2011	36 MoReg 883
11-04	Activates the state militia in response to severe weather that began on January 31, 2011	Jan. 31, 2011	36 MoReg 881
11-03	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated	Jan. 31, 2011	36 MoReg 879
11-02	Extends the declaration of emergency contained in Executive Order 10-27 and the terms of Executive Order 11-01 through February 28, 2011	Jan. 28, 2011	36 MoReg 877
11-01	Gives the Director of the Department of Natural Resources the authority to temporarily suspend regulations in the aftermath of severe winter weather that began on December 30	Jan. 4, 2011	36 MoReg 705

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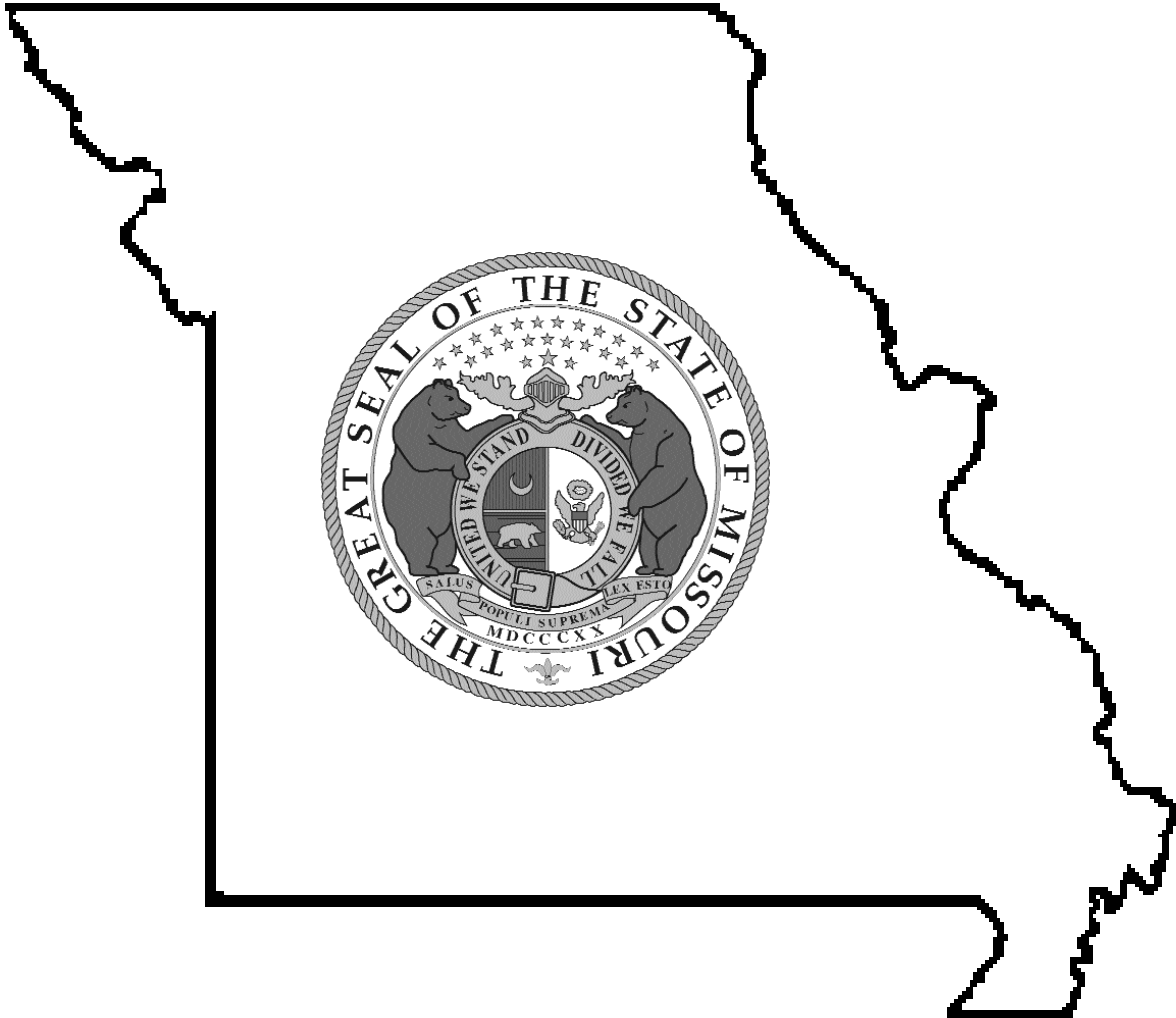
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